

## NAYS—45

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Tillis
Ernst	McConnell	Toomey
Fischer	Moran	Tuberville
Graham	Paul	Wicker
Grassley	Portman	Young

The nomination was confirmed.

The PRESIDING OFFICER (Mr. LUJÁN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 107, Kiran Arjandas Ahuja, of Massachusetts, to be Director of the Office of Personnel Management for a term of four years.

Charles E. Schumer, Gary C. Peters, Jacky Rosen, John Hickenlooper, Tammy Baldwin, Richard J. Durbin, Richard Blumenthal, Kirsten E. Gillibrand, Raphael Warnock, Martin Heinrich, Chris Van Hollen, Christopher Murphy, Sheldon Whitehouse, Bernard Sanders, Jeff Merkley, Patty Murray, Margaret Hassan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the nomination of Kiran Arjandas Ahuja, of Massachusetts, to be Director of the Office of Personnel Management for a term of four years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 244 Ex.]

## YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

## NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being evenly divided, the Vice President votes in the affirmative.

The motion is agreed to.

## EXECUTIVE CALENDAR

The VICE PRESIDENT. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Kiran Arjandas Ahuja, of Massachusetts, to be Director of the Office of Personnel Management for a term of four years.

## RECESS

The VICE PRESIDENT. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:38 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. CORTEZ MASTO).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Michigan.

## NOMINATION OF KIRAN ARJANDAS AHUJA

Mr. PETERS. Madam President, I rise in support of Kiran Ahuja and her nomination to be the Director of the Office of Personnel Management, or the OPM. OPM needs an experienced, qualified leader who is committed to the Federal workforce and is invested in their future.

Ms. Ahuja is that leader. She understands the unique challenges facing OPM, and she has the management experience and vision needed to restore and strengthen the workforce. I am confident that Ms. Ahuja is the right person to lead OPM at this pivotal time. I urge my colleagues to join me in supporting the confirmation of Kiran Ahuja for Director of OPM.

## VOTE ON AHUJA NOMINATION

Madam President, I ask unanimous consent that the vote scheduled to occur at 2:30 would occur immediately.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Ahuja nomination?

Mr. PETERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Mr. KELLY assumed the Chair.)

(Mr. MURPHY assumed the Chair.)

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 245 Ex.]

## YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

## NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally and evenly divided, the Vice President votes in the affirmative, and the nomination is confirmed.

The nomination was confirmed.

The VICE PRESIDENT. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will immediately be notified of the Senate's action.

## LEGISLATIVE SESSION

## FOR THE PEOPLE ACT OF 2021—MOTION TO PROCEED

The VICE PRESIDENT. Under the previous order, the Senate will proceed to legislative session to resume consideration of the motion to proceed to S. 2093, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 77, S. 2093, a bill to expand Americans' access to the ballot box, reduce the influence of big money in politics, strengthen ethics rules for public servants, and implement other anti-corruption measures for the purpose of fortifying our democracy, and for other purposes.

The VICE PRESIDENT. Under the previous order, the time until 5:30 p.m. is equally divided between the two leaders or their designees.

The Senator from Michigan.

Ms. STABENOW. I rise today to encourage all of my colleagues to support the motion to proceed that is in front of us.

We might disagree about the underlying bill. In fact, we do disagree. Republicans and Democrats disagree about the underlying bill, but that fact shouldn't prevent us from even having a discussion about the bill and about the issue. It is what we were sent here to do, to talk about the important issues that face the American people.

I can't think of anything more important, anything more fundamental to our democracy than the freedom to vote. That is what we are talking about, the freedom to vote. We are sent here to make our best arguments, to try to persuade Members who don't see the issue in the same way that we do, and in the end, to vote on important legislation like the bill that is in front of us to protect our freedom to vote as Americans.

I want to thank Senator MANCHIN for being willing to engage in this process in good faith and for his hard work on the issue. I have to wonder why my Republican colleagues won't do the same. What are they so afraid of? It is hard to believe that they are afraid of even having the debate—even having the debate. Are they afraid that if the American people hear both sides, the American people will figure out what they are trying to do? After all, the aim of the For the People Act is simply to protect Americans' freedom to vote and ensure their voices are heard.

Sadly, these rights are under attack all across the country, including Michigan. State lawmakers have introduced at least 389 bills to make it harder to vote in 48 States. In 2021, at least 14 States have enacted 22 new laws to take away people's freedom to vote. It is clear this is part of a coordinated, nationwide assault on a fundamental right that my friend, the late Congressman John Lewis, called "precious, almost sacred."

Right now in Michigan, Republicans in the legislature are trying to push through a package of bills that will make it much harder for people to vote.

Some analysts have even described the bills as being worse than the ones in Georgia, except we aren't watching them try to criminalize water.

Why are they doing this in Michigan? Well, let me go back again. Michigan is traditionally a tickets-winning State, what you would call a purple State. In 2010, Michigan elected a Republican Governor. Two years later, Michigan helped give President Barack Obama a second term. Two years later, we re-elected the Republican Governor, and 2 years later, Michigan supported Donald Trump by the narrowest margin of any State, just over 10,000 votes.

After that election, Democrats did not start a massive effort to take away people's freedom to vote. We got to work. We organized. We listened to

people about their concerns, and we worked hard to gain people's support for the next election. That is what you usually do, rather than trying to stop people from voting.

We did that hard work in Michigan, and you know what, we won the next election. In 2020, in the middle of a pandemic, more people in Michigan voted than ever before, 5.5 million of us. And Michigan voters clearly and resoundingly chose Joe Biden to be our next President and KAMALA HARRIS to be our next Vice President of the United States and the President of the Senate. They won by more than 150,000 votes. That is 14 times Donald Trump's margin in 2016.

But what did the Trump campaign do? Well, their campaign—his allies filed eight lawsuits in our State, lost every one. And in the only case that was appealed to the Michigan Supreme Court, the court declined to hear the case, despite having a majority of Republican justices. Republicans know that Michigan's election was fair, the results were accurate, and Joe Biden and KAMALA HARRIS won our State.

The people of Michigan voted. Michigan counties verified it. Our State certified it. There was no evidence of fraud that would begin to suggest that we need legislation like what Michigan Republicans are pushing. The Republicans just didn't like who Michiganders voted for. That is the same thing that is happening here. Republican colleagues don't like being in the minority. They don't like who people voted for. Well, you have a choice. You could work hard, try to gain people's trust, try to do things for people, win the next election, or you can try to take away their freedom to vote.

I mean, think about it. Think about the fact, in Michigan, Republicans didn't like who we voted for, so they are coming after the voters. They are coming after the voters. We know this is happening all across the country. It is wrong. It is un-American, frankly. And that is why we need this legislation, to protect our freedom to vote and to stop billionaires from buying elections.

We are committed to making sure people have their freedoms protected, and we are committed to making sure that billionaires are not buying our elections as well. We want to end the partisan gerrymandering that makes people's votes count—some count more than others—or rig the system. And we are committed to making sure that the wealthiest people in the country are not buying elections.

Why is this important? We have seen how so-called dark money groups that don't have to report anything, funded by a handful of billionaire donors, pour unlimited amounts of money into our elections in an attempt to influence the outcome. It is easy to understand why the average voter might feel their voice isn't being heard.

The For the People Act takes the crucial steps to give voters their voices

back. It includes disclosure requirements so that citizens have a right to know who is giving them money, who is behind those dark money donations. It reforms the Federal Election Commission so they can better enforce the election laws already on the books, and it takes steps to protect our elections from foreign influence.

I, for one, think these are essential to our democracy. I know my Senate Democratic colleagues feel the same. However, Senate Republican colleagues disagree.

So let's pass this motion to proceed so we can talk about it, so we can have a debate about it. Michigan voters made their voices heard. The American people made their voices heard in the election. We need to be debating this issue and making sure that our voices are being heard across the country.

I yield the floor.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Ms. MURKOWSKI. Madam President, this afternoon, we will have before us, as Members of the Senate, legislation that is entitled the For the People Act.

Before I speak to the For the People Act, S. 1, I want to make clear to colleagues that I have been keenly focused, interested in ensuring that when we have elections in this country, that they are free, they are fair and they are accessible to all, that barriers to voting should be placed on the sidelines.

For the past three sessions of Congress now, I have been the only Republican cosponsor of the Voting Rights Advancement Act. This was a measure that in prior Congresses was led by Senator LEAHY, and I was pleased to be able to join him as a cosponsor. That measure has now been introduced on the House side as the John Lewis Voting Rights Act, a measure to basically reestablish the preclearance system, which was in place until 2013, and then it was pretty much upended with the Supreme Court ruling in Shelby.

I certainly and absolutely intend to cosponsor that measure again under its new name, the John Lewis Voting Rights Act. I will work with Senator LEAHY, I will work with Senator MANCHIN—I will work with anybody on this initiative to help update this formula to ensure that we do have just exactly that, access to voting that is equal, that is fair, that is free from discrimination.

I note at the outset of my comments this morning the support for that legislation so that, again, folks understand that I fully understand that access to the ballot in this country is not perfect and, again, that I have stood behind legislation to ensure that our elections

are fair. We have come a long way. We have come a long way, but I think we all recognize that there is a long path ahead of us.

So let me turn to S. 1, the For the People Act. My fear is that this measure does not move us further down the path. If you look at the bill, it is wholly partisan. Unlike the John Lewis Voting Rights Act, which is very narrowly focused on voting rights, S. 1 has been described as sprawling. It has been described as ambitious, which is fair. Ambitious is not a bad thing, but it is clearly, clearly very broad, and it certainly contains some noteworthy goals, but I fear that there are provisions contained within S. 1 that take it too far or that I think are bad policy or that I simply think are beyond the power of Congress to regulate.

My concern, and I shared this with many, is that the bill that we have in front of us is not so much about voting rights as it is a Federal takeover of the election system—and a partisan Federal takeover of the election system.

The way the bill is being advertised—that somehow or another, we can't count on States to do elections right or fairly—is a premise that I have a problem with. I come from a State where we were under preclearance for a long period of time. We recognize that. We had a history that was not one that I think we were proud of in terms of ensuring that there was fair and open, equal access to all. But what we have seen in the State and how we have worked through that process that was in place some years back is that we have come to this place where we can—we have demonstrated that we can run a proper and an honest election. We have proven this time and again.

Much of my concern about what we have in front of us is that when you nationalize something, when you have kind of a Federal overall oversight, it ends up being a one-size-fits-all mandate coming out of Washington, DC, and in many cases doesn't work in a place like Alaska.

There are certain aspects of S. 1 that I absolutely do support. Early voting. We shouldn't be limited to just the day of the election. I think we recognize that. What we can do to ensure that early voting is there I think is important to us.

I come from a State where, if you want to vote absentee, there is no excuse required. You can just vote absentee because it is more convenient to you. I will tell you, I was really surprised to find out how many States do not allow for that. I think that is something we need to address. I am in support of that.

I think we need to be doing more when it comes to ease of voter registration. Again, in the State of Alaska, we have put in place ways to make it easier for folks to register. But, again, I am looking at what we have done in Alaska, proud of some of the measures we have put in place, but I recognize that we did this without DC

prescriptives or mandates of uniformity.

So in walking through some of the concerns that I have—I mentioned making voter registration easier. Well, the For the People Act mandates automatic voter registration. OK. Maybe a good idea. In Alaska, what we have put in place is that Alaskans are automatically registered—unless they specifically opt out, they are automatically registered to vote when they sign up for their Permanent Fund dividend. This is obviously very exclusive and unique to one State and one State alone. But under this measure that we have in front of us, it would require State election officials to automatically register any eligible unregistered citizens.

So I am looking at that and I am saying: All right, well, if we allow for automatic registration on the PFD—there are a lot of Alaskans, believe it or not, who do not sign up for the PFD or are not eligible for the PFD. So is the State going to have to have two different systems here in terms of how we meet this mandate?

I am looking at it and saying: Well, that is a fair amount of Federal micro-management here. If the State wants to implement an automatic system, it should do so, as Alaska did, but without the threat of the Federal Government looming behind them, making sure the i's are dotted and the t's are crossed in precisely the way the Election Assistance Commission thinks they should be. I don't think we want to make the administration of elections involve even more burdensome efforts or more cost. It is something that you look at and say: Let's make sure we can allow for easier registration, but let's not impose burdensome mandates.

Early voting requirements is another issue. The bill requires at least 15 days of early voting. This is something, again, in Alaska that we already do. It works great, but it also requires that each polling place must be open for at least 10 hours a day. So we are basically back here in Washington, DC, telling us in Alaska that you have to have your polling place open for 10 hours a day.

Think about this in the context of a small community. I will take a super small community, Arctic Village. About 150 people total live there in the village—not 150 voters but 150 people total. It wouldn't make sense. It wouldn't make sense for the State to maintain poll workers for at least 10 hours per day, for at least 15 days, in a community like Arctic Village. The whole town can practically vote in an hour. But that is not the point here. The point is, you are imposing a Federal mandate in a one-size-fits-all approach that just might not fit well there.

One provision in the bill that I have some significant concerns about is requiring same-day voter registration across the country. Again, in Alaska,

we think we have been doing a pretty fair job as to how we run our elections. I think it is reasonable that we be allowed to establish voter registration deadlines that work for the administrators in their respective States.

I know some people are surprised, but the fact is, we don't know everything best back here in terms of how to implement or how States should be implementing. States should have the latitude to implement a registration system that works with the State's geography, with their IT infrastructure, and with their election funding and other limitations they may have.

Forcing States to allow ballot harvesting—this is another area I have a problem with. This practice involves paid campaign operatives going out, collecting ballots, and returning them to be counted. I don't know. I look at this one and see so many ways in which this can be abused and exploited.

If a State wants to permit this practice with certain parameters that the State thinks would prevent abuses, that is fine, but not all States should be forced to do so by the Federal Government and be made subject to DC's idea of what actually works here.

Maintaining voter rolls. I think we all want to make sure that voting rolls are current or accurate, but the provisions in S. 1 really go very far. The bill would require States to secure "objective and reliable evidence." This is a term that is not actually defined in the bill, and they have to be able to establish that before removing a voter. What is not considered objective and reliable is a failure to vote or the failure of a voter to respond to a notice sent by the State informing the voter that they have been removed. So you are going to have a situation here where this undefined term will result in people who have long since left the jurisdiction actually remaining on the voter rolls.

Then there is the issue of restructuring the Federal Election Commission. From its very inception, this was designed to be—this was meant to be a body that was bipartisan to specifically ensure that no political party would grant its candidates an unfair advantage in elections. So you have got a restructuring that is proposed here that I think presents a flaw. It would reduce the number of seats on the FEC from six to five, two members each from the two major political parties and one ostensibly Independent. So what this could mean is that a President could simply find someone who would vote in his or her favor each time but who never registered as a member of a particular political party.

This newly partisan FEC would also be given the responsibility of handing out loads of cash from the public coffers. I take issue with this, and I think that you have a fair amount of folks in my State and across the country who do take issue with that as well in terms of public funding.

S. 1 creates a new structure of public financing of campaigns that matches

small dollar donations on a 6-to-1 basis. So I look at that, and, again, I have concerns about why anyone thinks it is a good idea to have even more money in politics. But it is easy to me to see how this could be exploited by a partisan board holding the purse strings here. So, again, I look at that as a particular example of, what are we doing with this in this voting rights bill?

I mentioned in my introduction here that I feel that you have many provisions in this measure that are likely unconstitutional. To start, while Congress has broad authority to regulate the times, places, and manner of congressional elections, our powers are much more limited in how a State chooses to appoint electors to the electoral college. There, we may only determine the time of choosing electors and the day on which they should give their vote. So every provision that purportedly changes State laws regarding how a State chooses its electors could face significant and I think justified challenges in court.

There are numerous provisions that try to criminalize speech that is almost certainly protected. Even the ACLU opposed several parts of this bill on the grounds that it would unconstitutionally limit the speech of citizens as well as compel speech, neither of which is acceptable. Just 2 years ago, the Fourth Circuit invalidated a law that was nearly identical to a provision that is contained in this bill.

Another issue is the issue of tax returns and whether or not Congress can mandate candidates for President to release their tax returns. I think it is only reasonable that they should do so, but the concern that I have is, the Constitution is really pretty clear in outlining the requirements to be President, and releasing tax documents is not one of those. So it just kind of presents a challenge there. Can we direct that? There is an issue.

Requiring States to create redistricting commissions may also be unconstitutional since Congress cannot coerce or commandeer the mechanisms of State government. Congress also likely doesn't have the authority to require States to permit convicted felons to vote or the ability to impose an ethics code on the Justices of the Supreme Court.

So while these may be good ideas, is the constitutional authority there? I think there is a real question to that.

So my concern—and I am coming to the end of my comments here—my concern about this measure is that while the title is strong, “For the People,” I am not certain that this measure will do what those who have hoped that it would do will do—it will make administering elections more difficult, more expensive, and subject to Federal micromanagement.

Again, I mentioned the issue of questions of constitutionality and whether aspects of it will be thrown out. Passing this into law could result in messy litigation that leaves the state of election law uncertain for years to come.

I mentioned my concern about one-size-fits-all. That is challenging. We are a pretty amazing 50 States, but we are all a little bit unique. But how States have leeway or latitude in determining what works I think is important.

So I recognize that we are at a place and a time when credibility and faith in our institutions are at a really weak moment, a very weak moment, and so when we think about the things that are core to our institutions, one of those fundamentals is the fairness of our elections and also ensuring that we are taking an approach in this Nation where all people feel that the election process is for them as equal and fair as it is for their neighbor down the street or their fellow American all the way across the country. How we are able to deliver on this promise is something that we need to continue to strive toward.

So I am going to continue to work on voting rights reform. I am going to be doing that through the template of the John Lewis Voting Rights Act. Americans need to have faith in our institutions. They need to know that our elections are fair; that they are easy and accessible for all; and we can't instill that trust with a wholly partisan effort. We have got some work to do. We have got a lot of work to do, and it is important work.

I yield the floor.

**THE VICE PRESIDENT.** The Senator from Colorado.

**MR. BENNET.** Madam President, when I got up this morning, the furthest thing from my mind was that I was going to have a chance to see you today. And since I am seeing you today, I want to say thank you. I want to say thank you for your role in this administration and in leading the Biden administration to make a proposal that was passed in the American recovery plan that is going to cut childhood poverty in this country almost in half this year.

And what people should know is not only that the President—the President sitting here—led that effort at the White House, but she led it from the very beginning. She was one of the original sponsors of that legislation. And even though the President's budget has said we ought to make it—extend it to 2025, I just want to let you know that we are still fighting here to make it permanent, and I think we should make it permanent.

We have already had—this is why I am here today. But we have already had Columbia University tell us that there is going to be an eight times annual return on the investment that we make as part of the recovery because instead of mitigating for the problem of kids in poverty, we will actually be eliminating poverty for almost half the kids in this country—for millions of American children. And not only that, over 90 percent of American kids are going to benefit from this Biden-Harris tax cut that is in this package.

So I just want to say thank you for that. And we have got to keep working on it, and I agree that it ought to be extended for years and years and years. For me, that means permanent. We are going to keep trying to do that, so thank you.

And thank you for leading on the issues that we are here to talk about today because this is the moment that we are challenged in ways that we have never been challenged before.

Five months ago—a violent mob stormed this floor 5 months ago trying to stop the peaceful transfer of power from one administration to the next. And they took us out of this room, and they took us to one of the Senate office buildings. And I was watching the television as I was there, and all I could think about was what is the rest of the world thinking about when our Capitol is being stormed by a violent mob of our own citizens—by a violent mob of our own citizens—and not just what our adversaries are thinking, not what is Russia thinking, what is China using with this footage, what are the Iranians going to do with this footage, but what are people like my mom and her parents who were Polish Jews who survived the Holocaust and, after making it through one of the worst moments in human history, were able to rebuild their shattered lives in this country, in the United States of America?

And to think about similarly situated people all over the planet for whom this is the greatest hope still for freedom and for liberty, for democracy itself—that is what is at stake, as least as far as I am concerned in this debate.

And I know the President understands this well, and I hope others understand this well; that even before January 6, our democracy was under attack. It was under attack as a result of gerrymandering. It was under attack because of the way special interests controlled the agenda on this floor and down the hall. It was under attack because of voter suppression that nobody in the 21st century imagined we would ever see in our country again, not to mention the fact of Citizens United, which unleashed the floodgate of money, of billionaires, to control our political system.

This is an effort to separate the American people from their exercise in self-government. It is an effort to destroy the American people's confidence in their exercise in self-government. And making it harder for people to vote is a huge piece of this puzzle.

Now, this isn't the first time in our history that we have been confronted by this kind of stuff. I have said before, and it is absolutely true, that you go back to the founding of this country. It is a story of, on the one hand, the highest ideals that have ever been written down by human beings and the worst instincts that have ever been conjured by human beings. In our case, that was enslaving other human beings.

And our history is a story of that battle between those highest ideals and

those worst instincts. And every single time Americans have stepped up and they found a way to make our country more democratic, more fair, and more free—small “d”, democratic—and that is what we have to do again. That is our job now because, today, in ways that were unimaginable to me when I was in college, except when I read it in the history books, anti-democratic forces are stronger than anytime since Jim Crow. And it is true. That is a fact.

What I was reading back in the 1980s about laws that had been fought against in the 1960s, they are back in 2020. If you think I am exaggerating, here are some examples. In Georgia, there are bills to undermine non-partisan election officials so that politicians can overturn outcomes they don't like; in Arizona, the same kind of thing, a partisan election audit; in Florida, a bill to restrict vote by mail; State legislators attempting to give themselves the power to toss out an election, as I said, that they don't like. These are laws all across the country. There are 250 or so of these laws that are being passed.

And, by the way, not a single one of those is being passed with a Democratic vote—a vote from a Democrat—in 250 legislatures. And you know what else doesn't exist in any one of those legislatures? The filibuster does not exist in any one of those legislatures. We need to stand up for our democracy, and that is why we need to pass the For the People Act.

The bill includes commonsense reforms that are broadly supported by the American people. I know—we know these reforms work because they have worked in Colorado, where we banned gerrymandering. We have automatic voter registration. We have early voting. We have vote-by-mail. We have increased election security. This is all nonpartisan. This is all common sense.

This was done by—this wasn't done by Democrats. It was done by Republicans and Democrats working together. What is the result? We have the second highest voter turnout rate in the country—72 percent. I am so sick and tired of saying that. I want us to be No. 1 so that I don't have to hear from Senator KLOBUCHAR how Minnesota is No. 1. I come here, and I have to say we are No. 2. That is not good enough. We need to be No. 1.

But if we had this across the country, the agenda in Washington would look more like what the American people actually sent us here to do. So this isn't just about voting rights, although that is very, very important. It is not just about elections. That is very important. But we could finally, probably, create universal healthcare in this country, improve our schools, make sure that we had an economy that when it grew, it grew for everybody, not just the top 10 percent. We would probably stop spending our time cutting taxes for the wealthiest Americans when our income inequality has never been higher. Although, now that

I mention that, I realize, because of the President's leadership and President Biden's leadership, we have actually already started to do that because we cut taxes now for the vast majority of Americans because of the work that they have led.

We can change the destiny of America. That is what we can do. And that is what this exercise in self-government is about. We can show that we can compete with the Communist Government in China and send a signal to people like my grandparents all across the world that American democracy is stronger than ever and that they should trust it; they can count on it and maybe get a piece of it for themselves; that we remain a beacon of freedom and self-government and that we remain committed not to our worst instincts but to our highest ideals.

I would encourage my colleagues on both sides of the aisle to support this legislation. And with that, I thank my colleague from North Carolina for his indulgence.

I yield the floor.

The VICE PRESIDENT. The Senator from North Carolina.

Mr. TILLIS. Madam President, welcome back, and thank you for giving me an opportunity to talk about the bill that we will have before us in about an hour and a half.

I have to stand here and rise in opposition to the For the People Act. I think you could appropriately title it the “Fool the People Act.” We are going to be voting on it later today, but it would dramatically alter election laws across our country.

I have been in the Senate for 6½ years, and this ranks up there as one of the worst bills that I have seen come before this body. I know my friends on the other side of aisle like to talk about it as being essential for protecting democracy, but in the face of text that could be patently unconstitutional and taking away the rights of States to administer their elections, I find it hard to believe that it is anything but a motivated attempt to federalize the Nation's election system.

The For the People Act would achieve it through a number of, I think, overreaches. I am only going to talk about a few.

For one, voter ID. The For the People Act would essentially render null voter ID laws across this country. Instead of an ID, which most of us have, and virtually, I think, every citizen should have, you would simply just sign an affidavit to say you are who you say you are. I heard the Georgia law, for example, brought up as providing egregious limits or obstacles to proving who you say you are.

In a hearing a month or so ago, we had an official from Georgia in a Judiciary Committee, and I said: Could you explain to me what the challenge is? So if somebody gets an absentee ballot like you do in North Carolina—we have no-excuse absentee balloting. We have had it for years. I supported it. I voted

that way several times. We had people say that it was just an egregious imposition to note a 10 or 12 character driver's license or government ID number on the affidavit. That is all it is. You don't have to send a copy of it. You just simply have to write a number down.

So if you have an ink pen—I guess you could argue if you don't have a writing instrument, then maybe that is an overreach or an imposition on a voter. I don't think it is. And even in the Georgia law that has been castigated by some of my friends on the other side of aisle, they even provide for people who want to vote, who may not have a government-issued ID, other documents that can be used in their place.

We talked about hundreds of bills that have been filed by Republican legislators without a single Democratic vote that are like the Georgia bill that I just described, which I think is arguably a fair bill. But most of these bills are things that Democrats and Republicans should be able to agree on. You should cleanse your voter rolls. You should make sure that people who have died and people who could be registered in one or more States are cleared from the voter rolls just to prevent fraud and abuse, not necessarily perpetrated by any one party but just because the data could be out of date.

And, you know, back on voter ID, I find it remarkable that we have a measure before us that we are going to be voting on today, a simple ID requirement that 80 percent of Americans just this week in a poll said they think is reasonable. Now, you have to also understand that we make accommodations. If you don't have an ID in North Carolina, we moved heaven and Earth to make sure—you need a government-issued ID, I believe, to be able to move through society, to get a hotel room, and to get on an airplane. I had to provide—I had surgery a couple of months ago. I had to present an ID to get admitted into the hospital. I think we are disenfranchising people from the rest of society by not at least making sure that they can identify who they are. There is no argument. You can't get on a plane without an ID. You can't travel internationally without an ID. You can't get healthcare without an ID. But for some reason, to do something, to exercise our right and our privilege to vote, we think that we don't need an ID.

I also worry about a provision in this bill that would allow nationwide ballot harvesting. There are only a couple of States that allow ballot harvesting. What does that mean? You have a worker coming up, going door to door, and encouraging somebody to vote. It may be somebody who doesn't want to vote. But now, you are up there to capture their ballots and bring bunches of ballots to the polls.

Ballot harvesting is legal in some States—I know California. It is not legal in our State. In fact, there was a

Republican candidate who ultimately withdrew himself after winning a race after there were a couple hundreds ballots that were supposedly harvested. I don't think he knew about it, but there was a campaign operative that did it, and it cost him an election.

I will tell you one thing that I really do believe, that if the Founding Fathers were here in this Chamber today, they would really be scratching their heads, and it is the idea of taxpayer-funded elections. Make no mistake about it, Federal, State, and local dollars are used to make sure that we have election machines, that we have poll workers, that we have access. We can always improve access to the polls, but in this bill, they are saying, and people in North Carolina—if you were paying attention last year, my race was, all in with me and my opponent, \$296 million. There were a lot of ads on TV.

I had my friends call me up, screaming at the TV when they were mean to me. And I am sure I had my opponent, who is a friend of mine, say the same thing. But now, what we are going to do, if we were to pass this bill, is say: Tom Tillis supporters are going to have to have money spent and directed to his opponent to try and beat him, and vice versa—millions and millions of dollars.

And in States like North Carolina—not only North Carolina taxpayers but taxpayers from across this country—will see their taxpayer dollars come to North Carolina to influence an outcome in a campaign that could be a thousand miles away. That is, I think—taking taxpayer dollars and then spending them on something that they are personally opposed to or offended by is something that I don't think the Founding Fathers would have ever envisioned as being appropriate for this great Nation.

So, ladies and gentlemen, today at about 5:30—I think a little after—the For the People—or as I said, the “Fool the People”—Act is going to be before us, and it is going to fail. We know it. Senator SCHUMER knows it.

So why are we doing it? Are we doing it for messaging points? Or are there some far-left liberals that just want the vote on the floor, knowing full well it is not going to pass? Have we actually tried to do any work to figure out what role the Federal Government should play in actually improving election outcomes that ultimately need to be administered by the State? No, that hasn't happened.

So today, we are going to come on the floor. This measure is not going to move forward. And somebody may be fooling—I don't know—far-left groups just to say we tried. But they didn't try because if they tried, they would have reached across the other aisle and tried to figure out something that made sense that could pass with 60 votes.

The For the People Act is far afield from what our Founding Fathers envi-

sioned. Can we improve our election processes across this country? Yes, but I would prefer to have the 50 laboratories of democracy figure out how to improve it and have other States implement it, perhaps even other States in the northeast that have far fewer voting days than we do in North Carolina. They could learn from that.

Maybe we should create standards and incentives for that sort of stuff, but not a Federal takeover of the state of the elections in this country. And for that reason, I will be opposing the For the People Act.

Thank you.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from North Carolina for his thoughts.

We are on the cusp of a vote here on legislation that would dramatically change the way we conduct our elections in this country. As my colleague said, are all elections perfect? No. But I have to tell you, I am really proud of what we do in Ohio. We make it easy to vote; we also make it hard to cheat, and that is the right balance.

This bill, S. 1, is called the For the People Act, but what it actually does is it strips away control from people in Ohio and elsewhere to build the right election laws in our own States and centralizes that control here in Washington, DC. That is not consistent with the Constitution or the Federalist Papers. In addition, some of those proposed changes attempt to undermine the First Amendment rights that we hold so dear as Americans.

I am proud of the way we conduct our elections in Ohio, in part because we have high turnout. In fact, we had record turnout last year, and that is great. And I don't want to leave it up to Federal employees here in Washington, DC, to determine how our system should work in Ohio, which is what this legislation would do.

I mentioned the Constitution earlier. It gives the primary power over election administration to the States. It is very clear about that. It also says in Federalist 59, which is Alexander Hamilton, who was the guy most interested in these Federalist issues—he said it is clear that the Federal Government should only get involved in very extraordinary situations.

Last fall, 5.97 million Ohioans cast a vote—that is a record, as I said—and it represented 74 percent of eligible voters in Ohio. Despite that and despite the challenges of running the largest election in our State's history during an unprecedented pandemic, we ran what was wildly reported on the right, on the left, by the media as a secure and successful election—in fact, I think the most successful election we have ever had. Our State-run, bipartisan county boards of election, with two Democrats and two Republicans in each county, were able to do that because they know what is best for Ohio and they are held accountable.

But this partisan bill claims Washington, DC, somehow knows better. S. 1 strips the power from accountable, democratically elected State representatives in my State and around the country to determine congressional districts and hands that over to a Federal panel, again, staffed by unelected, unaccountable third parties and a computer program. Again, I think it should be something that is part of what election representatives are held to account for, is how we draw our congressional districts.

It mandates the controversial practice of ballot harvesting. I don't like ballot harvesting. I think it makes it easier for partisan operatives on both the right and the left to conduct outright voter fraud.

It would force taxpayers to fund the political campaigns of candidates they don't support. It turns the Federal Election Commission into a tool of whichever party controls the White House. So instead of being even, it would actually be lopsided and be partisan.

It seemingly contradicts the 26th Amendment by forcing States to let individuals register to vote as early as 16 years old, and then it could allow those 16- or 17-year-olds to vote by banning State voter ID laws. The vast majority of Americans support voter ID laws. It is a fact. Republicans, Democrats, and Independents think you ought to have some sort of ID when you come vote, but this bill bans that safeguard.

I could list other serious flaws with the proposal, but the bottom line is that this legislation has been presented as a safeguard for democracy when it actually contains some radically undemocratic provisions.

I am in favor of State-level, common-sense efforts to increase voter confidence in our elections. We absolutely should do that. We need to protect democracy by ensuring, again, that people know it is easy to vote. It is accessible. That is good. We should all want that. But we should also make it hard to cheat and be sure we have security in our elections so people know they have trust in the system, that their vote is going to count, as it should. Again, that is what we do in Ohio.

I don't think this legislation furthers those objectives. Instead, I think it would amount to a Federal takeover of our election system, which has always been in the domain of the States.

Our government is built on a carefully constructed framework of checks and balances, including between the branches of government. I cannot support legislation that would run so counter to what the Framers of the Constitution intended and the election system that works well in my home State of Ohio.

I yield back.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I, too, rise in opposition to S. 1 and urge a no vote.



The bill that the Senate will be asked to consider today is a truly radical piece of legislation. It turns out, because of that, it is an unpopular piece of legislation, the kind of bill the Senate was created to help stop from becoming law. S. 1 seeks to transform the way we do elections in this country and to do so on a narrow, partisan basis.

Here is what Americans need to understand about this legislation.

First, it would strip away the power of the States to run elections and hand it to the Federal Government, showing a complete lack of trust in local and State leadership.

It would also spend millions of taxpayer dollars to help politicians run ads for their campaigns. Taxpayers would suddenly have to finance partisan messages they may strongly disagree with, raising serious First Amendment questions.

S. 1 would nullify sensible voter ID laws across the country, including voter identification laws in predominantly Democrat States, like Connecticut and Delaware.

And the legislation would also give the Federal Government the right to draw congressional district lines, even though States have done this since the beginning of our republic.

At its root, this bill is based on a myth. And I consider my words here. It is based on a lie, and that lie is that voting rights are somehow under attack in States like Georgia and Texas. This is utterly absurd, and I think the voters in those States understand that. The election reforms recently passed in Georgia, for example, have actually expanded access to the ballot box, making it easier to vote, but also making it harder to cheat.

The new Georgia law does this, among other things. It expands the window for early voting. The new Georgia law allows no-excuse mail-in voting to continue. It adds 100 new ballot dropboxes. It allows voters to get a government-issued ID for free, and it increases transparency in elections, for example, making sure the ballot counting does not stop in the middle of the night, as we have seen in past elections.

These reforms are entirely reasonable and widely popular across Americans and were based on broad input from the local stakeholders.

My colleagues who are pushing S. 1 say they are trying to save democracy, but, in fact, the bill would actually harm democracy. S. 1 would undermine the security of the ballot box, causing more and more Americans to question the outcome of our elections. We should be working to strengthen trust in democracy, not weaken it.

The only thing bipartisan about this bill is the opposition to it. In my home State of Mississippi, every Member of the House of Representatives—Democrat and Republican—voted against this legislation, including Democrat Representative BENNIE THOMPSON, a

chairman of a committee in the House of Representatives, the chairman of the Democratic National Convention of 2020, who said he voted against it because it was opposed by his constituents.

The ACLU has come out against S. 1, saying that some provisions “unconstitutionally impinge on the free speech rights of American citizens and public interest organizations”—hardly a rightwing conspiracy group, the ACLU.

The U.S. Chamber of Commerce, along with 300 other organizations, have said this legislation is “fundamentally incompatible with the American tradition and the principles enshrined in our Constitution.”

And when you ask the public about the specific proposals in this bill, many Americans—conservative and liberal, Democrat, Republican, and Independent—are outright opposed.

According to a recent poll, 81 percent of people say they are concerned with allowing voters to vote without any form of photo ID. Eighty-three percent say they are concerned with ballot harvesting practices, this practice of having party operatives go door to door and pick up large numbers of ballots to turn them in. Sixty-eight percent of Democrats are opposed to so-called ballot harvesting. And 50 percent of people say they oppose taxpayer dollars being used to pay for political campaigns. This, again, cuts across party lines.

So it is clear that S. 1 is not popular. It is squarely at odds with the views of the majority of the American people.

Every Senator who votes yes will need to prepare to explain to voters why they wanted to overturn State voter ID protections, allow ballot harvesting, force taxpayers to pay for political campaigns, and enact a partisan Federal Election Commission. That is why S. 1 should be rejected this afternoon, and that is why it will be rejected.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, this afternoon, I want to discuss my grave concerns with S. 1.

Many have said that this political power grab is a solution in search of a problem. I agree with that. This bill contains, I believe, a number of alarming provisions that would have a devastating impact on our Nation's electoral process. It would make our elections more chaotic and less secure.

This legislation contains more than 800 pages of bad policies that I believe America does not need and does not want. I believe that the strength of our election system is in its diversity, allowing each State to determine what is best for them. S. 1 would force a single, partisan view of elections on more than 10,000 jurisdictions across the country.

For example, State and local election administrators would be forced to change, one, how they register voters and which voting systems they use;

how they handle early voting and absentee ballots; and how they maintain voter lists.

It makes election fraud easier to commit and harder to detect by allowing unlimited ballot harvesting, undermining voter ID laws, and making it more difficult to maintain accurate voting lists. A recent university poll found that 80 percent of Americans support requiring a form of identification before a person can vote. Think about it—80 percent.

Remember, now, presently, Americans are required to present a photo ID to do a number of things. We all do it every day: at the airport to board a commercial flight; in a hospital for any outpatient or inpatient procedure; at the pharmacy to purchase over-the-counter sinus medication and certain prescriptions; at the bank to open a bank account; to apply for a mortgage; to drive, buy, or rent a car; to get married; to purchase a gun; to rent a hotel room; to donate blood; to obtain a passport; to pick up packages at the U.S. Post Office. We all do this every day.

This legislation would permanently tip the scales in favor of the Democrats by politicizing the Federal Election Commission, pouring Federal tax dollars into campaigns and chilling free speech. Do Americans really want their taxes going toward a Federal campaign fund that would finance the expenses of all candidates running for Congress?

S. 1 would reverse years of improvements that have been made in many States, improvements that protect the security, integrity, and the credibility of our elections. Each State, I believe, should be left with the freedom and flexibility to administer its own respective elections, without interference from the Federal Government.

S. 1 mandates ballot drop boxes, which increase the risk of fraud by allowing people other than the voter to drop off marked ballots outside of the view of election officials.

As I mentioned before, this bill provides government funding for campaigns: \$6 of Federal funding for every \$1 from small donors. My gosh, it would be a windfall for a lot of incumbents. This essentially forces Americans to fund candidates they don't agree with and support attack ads against those they do agree with.

It federalizes redistricting, putting in place one set of Federal rules for redrawing congressional districts—something that has traditionally been a role for each State.

Lastly, Mr. President, S. 1 requires States to give felons the right to vote once they are out of prison.

While this is a bad bill all around, I believe these are some of the top worst provisions and the provisions that American people oppose the most: One, gutting State voter ID laws, again; two, spending taxpayer dollars on political campaigns; three, allowing unlimited ballot harvesting; and four, turning the Federal Election Commission into a partisan operation. So just

to name those, among others, are reasons to vote against this bill.

I think the American people do not want this, and they do not deserve to be the recipients of such harmful policy. I do not support this bill, and I trust that a majority of the Senate will not vote accordingly.

Thank you.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, the right to vote is the hallmark of a democracy. It is what distinguishes us from authoritarian regimes where elections are tainted, if they are held at all, where the free and fair elections that define America do not exist.

President Abraham Lincoln once said elections belong to the people. Voting is an action we choose to take to exercise a fundamental freedom our Constitution grants to the people. So when we hear of a bill entitled "For the People," we naturally would assume at first that it must be enhancing our democracy, but a closer examination suggests otherwise. In fact, S. 1 would take away the rights of people in each of the 50 States to determine which election rules work best for their citizens.

Let's start with some indisputable facts. This legislation was first introduced in 2019, prior to last year's Presidential election. It was not considered in the Senate. It did not become law. Nevertheless, according to the Census Bureau, the 2020 election saw the highest voter turnout in the 21st century. Equally significant, Asian Americans and Hispanic Americans voted in record-high percentages, and there was higher turnout across all racial groups, including Black Americans, than in 2016.

The Census Bureau also asked eligible, nonvoting Americans why they didn't vote in 2020. The majority of respondents said that they were not interested, didn't like any of the candidates, were too busy, or simply forgot.

The point is, with the record-high turnout in 2020, it is very difficult to make the case that this bill is necessary, as some have said, to save our democracy.

This is a bill that was introduced to enhance partisan messaging, not to enhance participation in our elections, as the over-the-top rhetoric about this bill highlights. Consider, for example, the debate over Georgia's new election law. In many ways, Georgia's election law actually makes it easier for citizens to vote than in other States that have not been subject to the same backlash.

Georgia allows no-excuse absentee ballots. Delaware, New York, Massachusetts, and Connecticut do not. Georgia's new law provides a minimum of 17 in-person early voting days. Delaware, New Jersey, and Connecticut had no in-person early voting days at all in 2020. Although New Jersey enacted a new law to allow early voting earlier

this year, to great fanfare, it actually has 8 fewer early voting days than Georgia. Despite having these and many other different election rules, Delaware, Connecticut, and Georgia had very similar levels of Black voter turnout in the 2020 election. Massachusetts, by contrast, had just more than half the Black voter turnout of Georgia.

This information contradicts the underlying premise in S. 1 that we must overturn the laws of every State in our Nation in order to preserve the right to vote.

This legislation would force numerous changes to laws in States that have been successfully conducting elections for a very long time. Let me use the State of Maine as an example—a State that consistently ranks at or near the top of the Nation in voter participation. I am pleased to report. Maine does not have early voting. Maine does not allow ballot harvesting. Maine does not count absentee ballots that arrive after the polls close on election night. Maine does not allow voters to receive absentee ballots automatically without requesting them. Yet, in 2020, 71 percent of Mainers cast a ballot. That is 4½ percentage points above the national average.

These results further demonstrate that, absent a compelling need, the Federal Government should not be preempting the election laws of all 50 States.

Now, let's examine the burdensome list of Federal mandates that advocates of this bill would impose on each and every State. Allow me to highlight just a few of the significant flaws.

The bill would require States to allow ballot harvesting, where third parties, usually political operatives, collect ballots from voters. This raises obvious and significant concerns about voter intimidation, coercion, and ballot security.

The bill would prohibit voter ID, overturning existing law in 35 States. It would require that absentee ballots be accepted up to 7 days after the election, which could lead to chaos and distrust, particularly in close races.

The bill would transform the Federal Election Commission into a partisan entity, which would jettison the requirement for bipartisan agreement on significant issues and lead to partisan enforcement.

Another problem with this bill is that it would allocate billions of Federal dollars to congressional campaigns, forcing Americans to subsidize the campaigns of politicians with whom they vigorously disagree or simply dislike. Even very wealthy officeholders would be eligible for public financing. Do we really need more money in political campaigns when Federal funds could be used to combat the opioid epidemic or to reduce hunger among children or to spur economic development and the creation of more jobs?

Now, Mr. President, there are, of course, times when it is compelling and

appropriate for Congress to intervene. The Voting Rights Act of 1965 is an excellent example.

It was passed at a time when many Americans, particularly Black Americans, faced overwhelming barriers designed to prevent them from voting.

Section 2 of the Voting Rights Act is still in effect today. It prohibits voting practices and procedures that are discriminatory. It also allows the Department of Justice to sue any State or local government to enforce this provision.

Certainly, there are improvements that can be made in our election laws. For example, I support efforts to disclose dark money in campaigns. I support mandatory reporting to the FBI if a foreign government contacts a political campaign with an offer of assistance. And I have worked with my colleagues on both sides of the aisle to provide generous grants to States so that they could better secure their voting infrastructure against cyber threats and foreign intrusions.

Unfortunately, S. 1 is not legislation that could ever form the basis of a reasonable, bipartisan elections reform bill. And it is far more likely to sow more distrust in our elections than to ease the partisan divisions in our country. For the reasons that I have discussed, I shall cast my vote against this flawed bill.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor this afternoon to urge my colleagues to support this important legislation. And I listened to my colleague from Maine on her remarks and I take her at her word. If there would be any chance to work on these election issues in the future, I guarantee we are all ears.

I say that because I come from the State of Washington, and we have a very high election turnout. We have a very high election turnout rate because we have a vote-by-mail system that has been developed over a long period of time. My colleague knew my predecessor, Slade Gorton, who was a three-term Senator. In the 2000 election, I won by 2,229 votes, and I am forever grateful to Senator Gorton for having faith in that election. That election that included provisional ballots and signatures and all sorts of things that people really understood. I think that is the principle here. Our election in the State of Washington is based on your signature.

That is the way it is now when you vote in person, and it is the way it is when you vote by mail. So our system has a lot of security in it, and this legislation that is before us today is to make sure that these rights—these civil rights and constitutional rights of individuals—are upheld throughout the United States of America.

Now, I understand some of my colleagues may not like the ethics reform or campaign finance reform in the underlying bill. I support those provisions. But at the heart of this debate is



whether we are going to fight to make sure that the Federal Government does its job on constitutional rights. I feel like there is a little bit of hiding going on in this discussion about whether we have a role, that this is somehow left up to the States. It reminds me of when Rosa Parks was sitting on a bus. We didn't say it is just up to those individual States. Or when people were denied equal accommodations at hotels, we didn't say it was just up to those States. And we certainly didn't say, when people used police dogs trying to intimidate women to vote in the 1960's, that it was just up to those States.

No, no, no. We did something about it. We passed the 1964 Civil Rights Act and the 1965 Voting Rights Act. We did that because intimidation was happening, and we needed to correct for it. So I hope that our colleagues will think about this issue because to me, it is the same debate we are having on criminal justice reform. So many people on the other side of the aisle said: You know what, this is up to local police departments, and it is just up to the local governments, and that is all there is to it.

No, that is not all there is to this. This is about whether we do our job in upholding these constitutional rights when certain States don't do that.

And so these American voting rights are guaranteed by our Constitution. The 15th Amendment provides that voting rights cannot be abridged on the account of race, color, or previous condition of servitude. The 19th Amendment, which turned a hundred years old last year, provides that voting rights cannot be denied on account of sex. The 26th Amendment provides that Americans 18 years of age or older cannot be denied the right to vote on account of age.

Generations of Americans fought for these rights over many decades, and they didn't come easy to us as a Nation. Nor should we overlook, now, these issues as we think that these rights, these constitutional obligations that we should be fighting for and should uphold, are facing challenges at the local level.

I know that my colleagues say that these are State rights to hold these elections. Article I, section 4 of the Constitution empowers Congress to make or alter rules for Federal elections. The U.S. Supreme Court has repeatedly upheld this authority as broad and comprehensive. The U.S. Supreme Court has held that the election clause gives Congress the authority to "override state laws to regulate federal elections."

Now, this was in a pretty famous case in 2015. In the majority opinion in the *Arizona State Legislature v. the Arizona Independent Redistricting Commission*, Justice Ginsburg wrote, "The dominant purpose of the elections clause, the historical record bears out, was to empower Congress to override state election rules. The clause was

also intended to act as a safeguard against manipulation of electoral rules by politicians and factions in the States to entrench themselves or place their interests over those of the electorate."

So these issues are very clear. It is calling on us to make sure that we uphold those constitutional rights. But according to the Brennan Center for Justice at New York University School of Law, at least 14 States, from Georgia, Florida, Oklahoma, and many others, have enacted voting rights since the 2020 election to restrict individuals. My colleagues have been out here talking about some of those restrictions, and I think those that place undue burdens on individuals are something that we should be addressing. Yes, States have been at a different pace in allowing vote-by-mail, but we should be empowering people. We should say that we want to empower more people to vote under a system that is fair and gives them those opportunities to do so.

So there are at least 64 bills restricting voting rights moving through 18 State legislatures, and I think that we should be making sure here that we have clarity on what will help us continue to empower the public to cast their vote.

The For the People Act, S. 2093, is a comprehensive bill that makes voting easier. It also authorizes \$1.7 billion in new federal grants to help secure the security of our voting system. Again, I like our vote-by-mail system in Washington State. It is based on my signature to the ballot that is checked at the ballot. I can tell you in the last election because of the ruses and various things that went on, 13 different people said that they voted on my behalf. But they didn't. And our election system caught that. They knew that it wasn't me, and they checked the signature on the ballot, and they knew that it was me. So even though the system has had people who are trying to cause distrust and discord about whether we have the right system, it is working. And the more we empower people, the better our democracy.

This legislation requires the Director of National Intelligence to report on threats to election infrastructure, including cyber threats, and requires the President to develop and implement a national strategy for protecting U.S. democratic institutions. I know that these are things that we should be updating. Throughout our history, following the civil war and reconstruction, there were localities that used discriminatory tactics like poll taxes and literacy tests to keep African Americans from voting. The Black community endured both of this kind of intimidation.

And in the years that followed, Americans have protested and marched for these voting rights. And out of this struggle, Congress passed, and President Johnson, signed the Civil Rights Act of 1964 and the Voting Rights Act to make sure that we kept these prom-

ises of our constitution. So the Federal Government has had to intervene and we have done so I am glad that we did.

So I hope that we will continue to say that these provisions that are so important to guaranteeing the right to franchise for Americans, are there, and that they are continuing to be modernized. I hope that what we will do today is the start of an effort to focus on this.

I take my colleague at her word. I am sure she is sincere about wanting to vote to help do something on election and our democracy. We need to start that process today. We need to move forward, we need to address these issues. We can't live in a world where we are not allowed to move forward on a very close election in Washington State. That wasn't the only one we had. We had another one, I think, was decided by probably, you know, a few hundred votes. And were there issues? Yes. And guess what. The system resolved it. The system found any mistakes.

I keep mentioning, you know, a gentleman who basically when it got down to that somebody thought this was a Governor's race that was going to get down to 10 or 15 votes, basically decided to say that he had voted for his wife who had passed away, and admitted it because he knew in the end that they were going to find out. And he thought it was better to come forward and say I made a mistake. She had already passed. I sent in her ballot. It wasn't something I should have done, and we have a system that can work based on our signatures. It can and does today. When you go in to vote in person, you sign your name, and that is the signature, and that is the security of the system. And it has allowed us to trace and find and now expand to vote-by-mail. And it is time for us to say: Let's not make voting harder in the United States of America through a system that basically disenfranchises people, but make a system in the United States of America that is about giving people these opportunities so that people can feel this enthusiasm that we see when we successfully pull this off.

And what we need to be doing here is to show States that an 83 percent voter turnout in the State of Washington is a great victory. A high turnout is a great participatory system, and that is what we should be striving for with these reforms that are about security and about our constitutional rights. I hope our colleagues will support them.

Mr. President, I ask unanimous consent that the following Senators be permitted to speak prior to the scheduled vote: BLUNT, for up to 15 minutes; MERKLEY, for up to 15 minutes; KLOBUCHAR, for 10 minutes; and Senator SCHUMER, for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Missouri.

Mr. BLUNT. Mr. President, when I look at this substitute, I am reminded of the adage, the new boss is the same

as the old boss. In this case, the new bill is the same as the old bill. It has a different number, but it still maintains the same flawed policies that S. 1 maintains.

Obviously, the majority would like to pass this bill or they wouldn't have labeled it their most important piece of legislation for this Congress. The House of Representatives labeled the same bill, "H.R. 1," their most important piece of legislation for this Congress.

The changes basically give election officials more time to implement policies that I don't think we need, and I think the changes don't make the bill less bad. In fact, what the bill does is it creates a new boss for elections, but the new boss is the Federal Government. It is not about voting rights. It doesn't add any group or any individuals to the group of people who can vote, the kind of thing that Congress has done in the past, starting in the first century of the country and moving on until today. It is, frankly, a politically motivated, Federal takeover of the election systems that would make, in my opinion, elections more chaotic, less secure, less nimble in their ability to deal with individual circumstances that occur on election day.

(Mr. MARKEY assumed the Chair.)

The strength of the election system is the diversity of the election system. This is what President Obama thought in 2016. He may not still believe that, but I still believe it.

S. 1 would force a single partisan view of elections on more than 10,000 voting jurisdictions across the country, taking control away from States, taking control away from local officials—frankly, they are the closest people to the voters—and instead giving it to people in a far-away national capital without the same sense of importance of the people believing that what happened on election day at your precinct is what the voters intended to have happen that day and that the people who were voting were the people who were legally able to vote, not people who may have voted somewhere else—not people who may no longer live in the jurisdiction they are voting in and no longer qualified to vote for that county official or that State representative or whoever, but people who are legally able to vote.

I think this makes fraud easier to commit and, frankly, harder to detect. What we should be doing is making it easier to vote and harder to cheat. I think what we are doing here is making it easier to cheat and harder to find it out.

We allow, in this bill, if it was the law, unlimited ballot harvesting. This is where anybody can go around and collect ballots and, theoretically, be sure that they get to the election authority, but who knows? Who knows what ballot got lost in the mail and what ballot never got in the mail? One of the things the ballot harvester

would develop a pretty good sense of is how the person voted whose ballot they were harvesting.

This bill undermines popular voter ID laws that more than half of the States have implemented.

It makes it more difficult to maintain accurate voter lists.

It permanently tips the scales in favor of our friends on the other side by politicizing the Federal Election Commission—a Commission that was established, just like our Ethics Commission in the Senate, with an equal number of one party and no imbalance. This politicizes the Federal Election Commission. It makes it a partisan Agency, not a bipartisan policing Agency.

It pours Federal funds into campaigns, and it chills free speech—bad policy, I think, in search of a problem.

Democrats have said this is necessary to increase voting rights, particularly for minorities, but the overall turnout in the year 2020 was about two-thirds of all the voters—the highest percentage of voters who participated in over a century. What we have here is an election that had the highest level of participation in over a century. Most States had their highest voter turnout in 40 years, and we decide we need to change the system.

S. 1 isn't just about bad policy; it is about what Democrats have seen as a political imperative.

Frankly, this has been the bill that Democrats have offered for about the last 20 years. It varies a little bit from time to time, but about 20 years ago and maybe before that. I was a chief election official in our State at that time. I don't remember Democrats offering this before 20 years ago. But starting about two decades ago, every couple of years and certainly every time Democrats get in the majority in the House, they pass this bill or one almost exactly like it.

When asked about what it would take to maintain the current majority in the House, Speaker PELOSI said: Well, it would be better if we could pass H.R. 1 and S. 1. Now, that sounds like she thinks there is a political advantage there. I respect the Speaker's political judgment and always have respected Speaker PELOSI's political judgment. Her judgment would be that this would be better for Democrats than not changing the current election law.

S. 1 is really full of unnecessary and, as it turns out, unpopular provisions under the label "Would you like to vote for a bill that would secure democracy?" Well, of course. Who wouldn't want to be for securing democracy? Fortunately, this bill has been around long enough that people have begun to understand what is in it—the same list that has been out there before.

This bill would render State voter ID laws meaningless by requiring States to allow affidavits in lieu of identification. In other words, you say who you are at the polling place. Well, anybody

who is going to try to cast a ballot at the polling place they shouldn't cast is probably also likely to be willing to say they are qualified to vote at that election.

In a recent poll, a poll that came out this week, 80 percent of Americans supported voter ID laws. Another poll just a couple of weeks ago showed national support for voter photo ID was 75 percent. That included 69 percent of Black voters and 60 percent of Democrats.

So we have a principal position of this bill that 80 percent of all voters—at least 75 percent of all voters and 60 percent of Democrats are for, but this bill changes that law that makes sense to almost everybody.

This bill requires that unlimited ballot harvesting that I talked about just a minute ago. The only time I recall a congressional discussion recently about ballot harvesting was last year when the House of Representatives refused to seat a Republican-elected Member because that campaign had used ballot harvesting. Now we have a law that requires every State not to prohibit ballot harvesting. The risk of fraud, the risk of every ballot not getting to the place ballots need to be certainly increases when you hand them to a ballot harvester—usually somebody paid by a campaign or a party to go around and collect ballots and someone whose motivation to get those ballots all turned in may not be everything you want it to be.

Sixty-two percent of respondents in one poll said ballot harvesting should be illegal. It is another provision in this bill that clearly is not a popular provision if people begin to look at it.

Again, voting to protect democracy—sure, that is popular. But the way this bill does it, when people look at it, is not popular.

The bill requires States to give felons the right to vote in Federal elections when they are out of prison. Some States do that; some States don't. Of course, if this bill passed, every State would have the choice of going ahead and doing that or having two sets of voter rolls, one for Federal elections and another one for non-Federal elections. That, of course, makes no sense at all. What this bill anticipates is that no matter what States wanted to do, this is a provision they would have to adopt.

There is another way to get that done: Go to State legislatures and explain the value of having that changed if that change needs to be made.

This bill restricts the ability of States to maintain accurate voter rolls. Many States—States with Democratic Governors or Democratic secretaries of state, Democratic legislatures—have worked hard to see that they had a system in place where you would periodically check and see if the people who are registered to vote are still where they registered to vote from.

Our State—I think a lot of States—if you move to another county and register to vote there, you are supposed to

say as part of that process who you could notify to get you off the voter rolls, but there is no requirement that that has to happen. A periodic check of the voter rolls was seen not too long ago as a huge protection of democracy. This makes it much harder to do. But a 2018 poll found that 77 percent of Americans supported this kind of voter roll maintenance.

Frankly, it would be pretty hard to come up with a bill that had so many major tenets that were so out of step with what people think the government ought to do and what they want their State government to do and in most cases where State governments are doing this.

This bill provides government funding for campaigns—\$6 of Federal money for every dollar raised from small donors. Small donors is under \$200. Frankly, if you were doing this, there would be—the current Members of the Senate, under this bill, could receive up to, collectively, \$1.8 billion from the Federal Government to run their campaigns, to attack their challenger, or whatever they want to do with their campaign money—\$1.8 billion to do that. It is pretty easy to qualify for this money.

We saw people raise money in the first quarter of this year. That would have qualified—in the case of our friend the Senator from Texas, Senator CRUZ, somewhere between \$25 and \$30 million would go to his campaign. We had a markup on this bill in the Rules Committee. Not a single member of the Rules Committee, Democrat or Republican, including Senator CRUZ, thought Senator CRUZ should get \$24 or \$25 million from the Federal Government for his campaign.

The bill creates a partisan Federal Elections Commission. It gets rid of that bipartisan makeup that has been there from the very start.

This bill chills free speech in that it creates a disclosure document that makes people really reluctant to give money to other groups who aren't candidates who like to talk about elections.

It federalizes redistricting. S. 1 would put in place one set of Federal rules for redrawing congressional districts. That has always been the role of the States. If the State wants to give that to somebody besides the legislature, they can do that, and many States have done that. But States have been the constitutionally designated place to determine how they draw congressional maps in their own States.

Even if a State manages to comply with all these requirements, under this bill, the Justice Department would have to be involved. Under this bill, the court of jurisdiction in all cases on redistricting would be the Federal court in Washington, DC, not the Federal court in the circuit that Missouri is in. You wouldn't even start at the district court in Kansas City or St. Louis. The Federal court in Washington, DC, would be the place you would go.

Of course, the purpose of the bill is to bring all these election decisions to one place. The idea that the best decisions are always made in Washington, DC, on all topics is an idea that most Americans don't agree with. There are things they think we can do and should do and can only do because they can't do them any other way, like defend the country and set big national priorities. But for well over 200 years now, local election officials responsible for the sense of credibility of what happens on election day have done this job. I think they have done it well.

This bill would require States to take burdensome actions and make expensive changes in their election systems. Even if the States have already adopted some of the so-called reforms, they in all likelihood would have to make changes in their system to comply.

So the Federal takeover of elections shouldn't happen. I urge my colleagues not to support it happening. The American people don't want to see the things imposed on our election system that are in this bill. I urge my colleagues to vote against this harmful legislation.

I yield the floor.

The VICE PRESIDENT. The Senator from Oregon.

Mr. MERKLEY. Madam President, every day that I have the honor of coming to work in the hallowed halls of this building—a symbol to the country and to the world of America's commitment to liberty and to justice, freedom, and democracy—I am humbled. I am humbled by the faith and responsibility that the people of Oregon have placed in me to advocate on their behalf. I am humbled by the responsibility of exercising the power of this office to use the opportunity to lift up all Americans, to create a foundation for families to thrive, to tackle significant challenges like human rights and global warming.

But among all these responsibilities one is the highest, which is to defend our constitutional Republic, and in that Constitution, the single most important power given to every American is the right to a voice and a vote, a voice and a vote in the decisions of this government and the direction of our Nation.

As we saw all too clearly on January 6, when this very building was attacked by a mob intent on burning the ballots of millions of Americans, democracy based on free and fair elections is far from guaranteed. Each generation, each new set of Senators and House Members has the responsibility to defend it anew.

The sad truth, however, is that a violent mob storming the Capitol isn't the only way to attack our democracy. It can also be attacked by the quiet plotting of powerful and privileged individuals who hate the concept of government of, by, and for the people, and they work to undermine and corrupt the workings of our Republic to produce, instead, government by and for the powerful.

In his inaugural address, our second President, John Adams, remarked that, "we should be unfaithful to ourselves if we should ever lose sight of the danger to our liberties if anything partial or extraneous should infect the purity of our free, fair, virtuous, and independent elections."

Well, my friends, our democracy—our elections are being infected. Our elections are under siege from gerrymandering, which destroys the principle of equal representation. Our system is under siege from dark money, enabling billionaires and powerful corporations to buy our elections. It is under siege by State laws being passed week to week right now that target specific communities to prevent them from voting, thereby manipulating the outcome of elections.

Indeed, at least 22 laws have been enacted in 14 States since January to infect our free and fair elections to deliberately erect barriers meant to make it harder for targeted groups of Americans to vote, to silence the voices of students and low-income Americans, of Native Americans and seniors, of Black and Brown Americans who have fought too long and too hard to have their voice and their vote stolen from them, ripped from them now.

We have a responsibility as United States Senators to ensure every American's freedom to vote, just as this institution sought to do more than half a century ago, when in this Chamber we passed the 1965 Voting Rights Act. We have a responsibility to ensure that every American's voice is heard and that our elections reflect the will of the people.

We can fulfill that responsibility by enacting national standards for voting to ensure that every American can have a say in the key decisions impacting their daily lives, a "say" expressed through the ballot box.

That ballot box is the beating heart of our Republic, and those who seek to erect barriers to citizens having access to it are committing a crime against our democracy. We have to stop that criminal action against the rights of Americans. We must create those national standards by taking up this bill, the For the People bill, debating it, and ultimately passing it, to defend our Constitution.

The For the People Act is comprehensive. It does popular, common-sense things to put the American people back in charge of their government and their country. It sets national standards so every American has equal freedom to vote, no matter where they live. In this country, if you are an American, you have the right to vote, plain and simple, full stop. It doesn't matter what your ZIP code is or your income or the color of your skin or your religious beliefs. You have the right to vote.

Many of the State laws restricting voting are designed to eliminate early voting—in person or by mail—and we know exactly why. It is because the

leaders in these States know how easy it is to manipulate the vote on election day. In these targeted communities, the States' leaders want to be able to decrease the number of polling places, reduce the hours, change the locations, put polling places in locations with limited parking, put out false information about the date of the election, and purge targeted voters from the roll of registered voters, knowing that when they show up on election day, it is too late to correct the error and be able to exercise their right to vote.

The antidote to these horrendous, racist attacks on the freedom and right of every American to vote is early voting in person and by mail, and this act guarantees 15 days of early voting. It sets forth the opportunity to acquire an absentee ballot, to return the ballot by mail or through dedicated dropboxes.

The second big goal in national standards set forth in the For the People Act is to stop billionaires from buying elections. Elections in America are intended to reflect the will of the people, not the will of the powerful and privileged. Thomas Jefferson once described this as the "mother principle," saying that "governments are republican only in proportion to how they embody the will of the people."

If the megawealthy can flood our campaigns with billions of dollars sent through shell companies, untraceable money, and manipulate the outcome of the elections, then Jefferson's mother principle is murdered because the outcome serves the powerful, not the people.

The For the People Act says the people should have an equal chance of being heard and that the people listening ought to know who is actually behind those voices and those messages. It does that by creating an "honest ads" policy so political ads people see online have to disclose who is paying for them, and it does that by requiring the disclosure of megadonors contributing to political campaigns.

Now, if you or I give a modest donation to a campaign, that campaign has to disclose who we are. Shouldn't the same thing that is true for an average American be true for the megadonors? This standard sets that equal standard.

Third, the national standards set forth in this bill restore equal representation by ending gerrymandering, the process by which we draw congressional districts to favor one party over another and, by doing so, attack the sacred principle of equal representation.

This creates a lot of bias in the House of Representatives down the hall. Take Michigan. In 2012, 2014, and 2016, the majority of the Michiganders voted for one party at every level of government, but because of gerrymandering, the other party held a decisive advantage in the statehouse, in the State senate, and in the congressional House delegation.

The For the People Act defends, restores the principle of equal representation.

It does it by creating independent redistricting commissions, made up equally of Democrats, Republicans, and Independents. That means candidates running for office actually have to use the power of their ideas, the persuasion of their personality, not a rigged system to hold power.

Finally, the standards in this bill target corruption by addressing and eliminating conflicts of interest. Public servants should serve the public, not themselves. That includes Members of Congress, the administration, and for the first time ever, the Supreme Court. This bill does that by striking down outrageous and corrupt conflicts of interest, strengthening divestment requirements, saying that the President and Vice President have to use a blind trust or limit their personal holdings to assets that don't pose a potential conflict of interest.

It slows the revolving door between public service and K Street. It requires Cabinet Secretaries to recuse themselves from any issues in which a previous employer or client has a financial interest.

The bill requires candidates for Vice President or President to disclose their tax returns to prevent hidden conflicts of interest. It creates a code of ethics for the Supreme Court, something all other Federal judges already have.

None of these four principles is about helping one political party over the other. In fact, the provisions I have just laid out are wildly popular among the American people. An overwhelming supermajority of Democrats, Republicans, and Independents support these four principles. It is as bipartisan as you can get.

Even when it is broke into specific provisions, three out of four Americans—Democrats, Republicans, Independents—say they support these reforms because they believe in the vision of government of, by, and for the people. It is in our DNA.

Americans believe that dark money should not be able to flood our elections. They believe billionaires and corporations should not be able to buy elections. They believe our Nation is ill-served by corrupt conflicts of interest. They believe in the vision and ideals of our "we the people" Republic, and this bill is meant to do just one thing: make real the promise of democracy for all Americans.

But powerful special interests don't want that. It threatens their hold on power by ending the ways they have rigged the system, and so they are all about striking down this bill.

Why is that? We hear how Republican leaders say that they like this rigged system. Apparently, they like dark money in campaigns helping to buy elections. Apparently, they like targeting groups of individuals to prevent them from voting, taking us back to the racist efforts that existed before the 1965 Voting Rights Act. Apparently, they like gerrymandering, thinking it is a sort of the political

power down the hall, which political scientists says it is. But should it be principle or power that we fight for here?

It should be the principle and the oath of office we took to uphold the Constitution.

Standing before a crowd on a November afternoon to dedicate the Soldiers' National Cemetery at Gettysburg, 4 months after that momentous battle, President Lincoln remarked that they were gathered together to not only dedicate it to the men who had fallen in battle, but to the ideal for which they gave their lives, "That government of the people, by the people, for the people, shall not perish from the Earth."

Today, it is our responsibility to carry that ideal forward and to ensure that government of the people, by the people, and for the people shall not perish from the United States of America. We in this Chamber must pass the For the People Act.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, today the Senate is voting on whether to consider the For the People Act, also known as S. 1. I encourage all my colleagues to support Senate consideration of this crucial election reform bill.

This legislation would put a stop to new State laws across the country that are making it harder for Americans to register to vote and to cast their ballots. So far this year, at least 389 bills to suppress the ability to vote have been introduced in 48 States. At least 22 of these new bills have become law in 14 States.

These newly enacted laws undermine the right to vote from every direction: They create new and unnecessarily strict voter ID laws, which make it harder to vote for the 11 percent of U.S. citizens who do not have a government-issued photo ID, many of whom are elderly or low-income. They reduce the timeframes for early voting, a critical method of voting for many working Americans. And they impose severe limitations on voting by mail, a strategy that many States have used to significantly increase voter turnout over recent years.

These attacks have shown no signs of letting up. In Texas, a restrictive voting bill is pending before the State legislature that continues to get worse the longer it is considered. In its current form, the Texas bill would cut early voting hours, ban drive-through voting, limit vote-by-mail, and add new voter ID requirements for mail-in ballots, along with a host of other restrictions on the right to vote.

These restrictions are harmful to our democracy. We should be working to make it easier for more people to vote, not making it harder. The right to vote is a bedrock principle of our democracy. Unfortunately, many States are using unfounded conspiracy theories of voter fraud as an excuse to pass laws to weaken that fundamental right.

That is why we must pass the For the People Act. This bill will help to ensure that all Americans are able to vote, free of unnecessary hurdles and burdens. It includes a number of commonsense reforms that anyone who believes in the health of our democracy cannot possibly oppose in good conscience.

For example, one provision of S. 1 requires that States allow voters to register to vote online. In an age when you can cash a check, buy a car, and conduct a doctor's appointment entirely online, there is no reason a voter should not be able to register to vote online.

The bill also invests in the health of our election infrastructure by securing our voting systems against foreign attacks. The security of our voting systems should not be a partisan issue.

In addition, S. 1 would ban partisan gerrymandering and require States to draw their congressional districts using independent redistricting commissions, like we do in California. Voters should be able to choose their representatives; representatives should not be able to choose their voters.

We need to empower the voice of every American in our democracy. We need to make these commonsense reforms to our elections.

I understand that some of my colleagues have disagreements with specific parts of the bill. I would urge them to let the legislation come before the Senate and seek to amend it. But to deny this body the ability to even debate and consider such an important bill as this is unacceptable.

The time for these reforms is now. I hope that my colleagues on both sides of the aisle will support this important legislation.

Ms. KLOBUCHAR. Madam President, I come to the floor to speak in support of proceeding to debate legislation that is critical to our democracy, legislation that is based on two simple ideas: that Americans must be able to freely choose their elected officials and that government must be accountable to the people, not to those with the most money. These are not Democratic or Republican ideas; they are core American ideas. But for too long, these rights have been under attack, which is why we need the critical democracy reforms in the For the People Act.

I am honored to be leading this legislation with Senators MERKLEY and SCHUMER and to have worked with my colleagues as chair of the Rules Committee, worked with my colleagues in the House and civil rights and democracy reform groups and you, Madam President, to bring this bill forward today.

The freedom to vote is fundamental to all of our freedoms. It is how Americans control their government and hold elected officials accountable. It is the bedrock of our government. It is the founding principle of our country, and it has stood the test of wars, of economic strife, and yes, a global pandemic. But protecting this right has not always been easy.

Throughout our country's 245-year history, we have had to course-correct and take action to ensure that democracy is for the people and by the people and that it has lived up to our ideals.

At the beginning of this year, we were reminded on January 6 that it is up to us to protect against threats to our democracy, to ensure that it succeeds.

I still remember that moment at 3:30 in the morning when Senator BLUNT and I and, yes, Vice President Pence walked from this Chamber with the two young women with the mahogany box full of those last ballots to get over to the House to finish our job so that you, Madam President, were declared the Vice President and President Biden was declared the President. That is upholding our democracy. That is doing it together, Democrats and Republicans doing our job. And what this bill is about to me, this bill is about carrying on that torch to protect our democracy.

Today, the vote to begin debate on this legislation will likely get the support of all 50 Democrats. Senator MANCHIN, along with the rest of our caucus, has made clear to the country that standing up for the right to vote is bigger than any one person or thing. It is about us. It is about us as Americans. I deeply appreciate the work he has put into the proposal he is putting forward today, and I look forward to continuing our discussions with him. He is doing this in good faith. There are many good things in that proposal. And today we are here together to reaffirm we will not give up this fight. It is just beginning.

The 2020 election showed that you can make it safer to vote while giving voters the options that work for them. If it is vote-by-mail—I see my colleague Senator SMITH here. Minnesota is so proud of our same-day registration. That has worked for us. It has made us No. 1 in voter turnout in the country time and time again. Many States during the pandemic took steps exactly like that, extending options for voters, like safe vote-by-mail, and now 34 States have no-excuse vote-by-mail—34 States. The result? More than nearly 160 million Americans voted—more than ever before and in the middle of a pandemic.

I still remember those voters in the primary in Wisconsin standing in makeshift garbage bags with makeshift masks over their faces in the middle of a rainstorm, in the middle of a pandemic, standing in line to vote. And in an election that the Trump Department of Homeland Security declared

was the most secure in our history, the American people elected, yes, President Joe Biden and Vice President KAMALA HARRIS.

But in the wake of that historic election, there has been a pervasive, coordinated, and overwhelming effort to undermine the freedoms of voting in future elections, with over 400 bills introduced in legislatures across the country. Twenty-two laws to restrict voting have been enacted in 14 States, and 31 more bills to roll back the right to vote have passed at least 1 chamber of a State legislature.

As Reverend WARNOCK put it in this Chamber in his maiden speech as Senator, "Some people don't want some people to vote." That is what is going on here.

The new law in Georgia makes it harder to request mail-in ballots, drastically limits ballot drop boxes, and makes it a crime to hand water and food to voters waiting in line to cast their ballots, when in previous elections, Georgians have stood in line for up to 10 hours to vote.

One of the new Montana laws ended same-day registration on election day after it had been in practice in the State for 15 years, and Senator TESTER is joining me in trying to bring this practice across—when we introduced that bill—across the Nation.

In the weeks ahead, similar bills are expected to pass in even more States, including Texas, where the Governor has promised to call the legislature into special session to pass a bill to restrict voting that was blocked at the end of regular session thanks to the heroic efforts of Democrats in the Texas State Legislature who blessed us with their presence just last week.

These are not empty threats; they are real efforts to disenfranchise regular Americans from voting—senior citizens, people with disabilities, people who can't stand in line for 10 hours just to wait to vote.

In the face of these efforts to roll back voting rights in so many States, the For the People Act is about setting basic national standards to make sure that all voters in this country can vote legally in the way that works for them, regardless of which ZIP Code they live in, regardless of whether they live in a big city or in a suburb or out in a small town in western Minnesota. It is about reducing the power of Big Money in our elections by ending secret spending by billionaires and special interests. It is about making anti-corruption reforms to ensure that politicians work for the people, not for themselves.

Republicans have said that this bill is designed to provide a political advantage, but, as a former Republican Commissioner of the Federal Election Commission who chaired under George Bush, Trevor Potter, has said in explaining his support for this bill—and he appeared as a witness in my hearing for this bill—he said:

This bill does not give power to any particular party over another; it gives power back to the voters.

Giving power back to the voters is exactly what we need.

There is an amplified attack on the right to vote this year, but we have seen serious efforts to restrict voting rights since the Supreme Court gutted the Voting Rights Act 8 years ago. The Voting Rights Act of 1965 marked the cornerstone achievement to the civil rights movement and became a law because of the tireless work of people like John Lewis who put their lives on the line to secure voting rights for all. Fifty-six years later, we are still fighting that battle. At the same time, we haven't had meaningful campaign finance or ethics reform.

Our democracy desperately needs the proposals in this bill. And guess what. The American people agree. Yes, this bill is bipartisan, except right here in this place. It is bipartisan because one poll released recently found that 78 percent of Americans, including 63 percent of Republicans, support making early in-person voting available for at least 2 weeks before election day. That is a proposal in our original For the People, and it is in the managers' amendment that we are voting for closure on, and it is in Senator MANCHIN's proposal.

Another poll found that 83 percent of likely voters support public disclosure of contributions to groups involved in elections—also the DISCLOSE Act in all three proposals. Yet some of my Republican colleagues want to limit disclosures. By the way, disclosures were championed by Justice Scalia. Yet what happened in our committee hearing on this, our markup? Republicans filed amendment after amendment to gut those provisions of the bill.

So while they make claims—my friends on the other side of the aisle—that this isn't popular, it is just not true. They claim it is not bipartisan. It is just not true. The bill contains nine bipartisan bills, including the Honest Ads Act, which I first introduced with Senator John McCain and Senator WARNER, and now Senator LINDSAY GRAHAM took up that cause. Our provision—that provision would finally hold the social media companies accountable to make sure that there are disclaimers and disclosures on political ads.

There is the work that I have done with Senator LANKFORD and with you, Madam President, when you were in the Senate to make sure we have backup paper ballots. We still have eight States that don't have backup paper ballots. That provision is in this bill.

Many of the bill's provisions have already been adopted in red, blue, and purple States and have the support of Governors and election officials from both parties.

Twenty-one States have same-day voter registration, including red States like Idaho, Wyoming, and Iowa. That is great, but our question should be, why don't all 50 States have it, especially when the Constitution of the United

States specifically says that Congress can make and alter rules for Federal elections? It is as clear as the words on the page. Twenty States have automatic voter registration laws, including Alaska, Georgia, and West Virginia. Forty-five States allowed all voters to vote by mail in the 2020 election, and 44 States have early voting.

What this bill does is takes the best of the best and puts in place minimum standards so that no matter what State you call home, you have access to the ballot box. That is why Senator MERKLEY has worked so hard on this legislation. That is why Senator SCHUMER made this bill Senate file No. 1.

The bill that we are voting to advance includes changes that directly respond to concerns about implementation from both Democratic and Republican States and local officials. We heard those concerns, and the Democrats on the Rules Committee, which included Senator WARNER and Senator KING—we worked on that managers' amendment and made it easier for rural areas, extended the time system, and got at their concerns. And then Senator MANCHIN has come up with more ideas and more things we can do to make the bill strong.

We heard from election officials that requiring States to accept mail-in ballots for too long after election day would delay them from certifying the results, so we shortened the window.

I could go on and on and on. In good faith, we have worked to make this bill work for America, and now it is time to allow for debate on this bill.

Our Republican friends on the other side of the aisle say this bill—this is one thing Senator MCCONNELL would say in the hearing—that it would cause chaos. I say this: Chaos is a 5-hour wait to vote. Senior citizens standing in the hot Sun for 5 hours, for 10 hours—that is chaos. Chaos is purging eligible voters from voter rolls and modern-day poll taxes and one ballot box for a county of 5 million people, which is exactly what they did in Harris County, TX. That is exactly what is happening in that State right now. Chaos is voters in Wisconsin waiting in line to vote for hours in the rain in their homemade masks and plastic garbage bags. The angry mob on January 6 that came into this very Chamber, that spray painted the columns, that attacked police officers, that injured people left and right—that is chaos.

As I said from the stage on Inauguration Day under that bright blue sky where you could still see the spray paint at the bottom of those columns and the makeshift windows we had in place—I said this: This is the day our democracy picks itself up, brushes off the dust, and does what America always does: goes forward as a Nation under God, with liberty and justice for all. We cannot do that if Americans are disenfranchised, if they are not part of our democracy.

Republicans have sadly made it clear that this is not legislation they are

willing to negotiate or even debate. They won't even give it a week. They won't even give it a few days. Just last week, they held a press conference to tell the American people that they don't believe Congress should act to protect the right to vote or get rid of secret money in our elections. So, honestly, I would love to get support from the other side of the aisle, but we have to be honest—I don't expect we are going to get it.

So, my Republican colleagues, this is not the end of the line for this bill. This is not the end of the line. This is only the beginning because if you have your way, those voters won't even be at the end of the line. They are not going to be able to vote.

In the Rules Committee, we will be holding a series of hearings—not just one hearing, a series of hearings—and we are taking it on the road for the first time in a long time. We are going to Georgia and holding a field hearing there so we can hear firsthand from people in the State on what is happening and why we must carry out the constitutional duty in this Chamber to act.

I urge my Republican colleagues to recognize the work being done in States to restrict the freedom of Americans to exercise their sacred right to vote. Our Nation was founded on the ideals of democracy, and we have seen for ourselves in this building how we can never take it for granted.

We can't let State legislatures get to pick and choose who votes and what votes get counted. That is not how democracy works. I urge all of my colleagues to do what the American people are asking us to do and to do what is right. Vote today to bring us closer to passing legislation to strengthen our democracy. We can't wait in line, and we can't make the people of America wait in line. The time to do this is now.

I yield the floor.

**THE VICE PRESIDENT.** The majority leader.

**Mr. SCHUMER.** Madam President, first, let me thank so many of my colleagues, including our chair of Rules, the Senator from Minnesota; our lead sponsor on this bill, Senator MERKLEY; and so many others who have done so much on this legislation.

Now, what makes a democracy a democracy? It is the right of citizens to choose their own leader; to forge their own destiny, rather than have it decided for them; the right to vote; the right that generations of Americans have marched and protested to achieve; women who reached for the ballot; and marchers who were bloodied on a bridge in Selma; the right that generations of American soldiers fought and died to defend, buried now in patriot graves from Normandy to Gettysburg.

And, right now, it is a fact—a fact—that voting rights are under assault in America in a way that we have not seen in many, many decades. Republican State legislatures are limiting polling hours, locations, and ballot



drop boxes, raising new ID barriers for students, making it a crime to give food and water to voters in line, and in States like Texas, trying to move Sunday voting hours so it is harder for Black churchgoers to go to the polls after services.

It is the most sweeping voter suppression effort in at least 80 years, targeting all the ways that historically disenfranchised voters—Black and Brown Americans, students, the working poor—access the ballot.

We can disagree about solutions to this problem, about which policies might be more effective, but we should all agree this is a problem. We should all agree that protecting voting rights is worthy of debate, and that is what this next vote is about. Should the U.S. Senate even debate—even debate—how to protect the voting rights of our citizens?

The story of American democracy is full of contradictions and halting progress. At the time of our Constitution's ratification, you had to be, in most States, a White, male, Protestant landowner to vote. How many in this Chamber—how many of us would have been able to participate in those first elections?

The truth is, many of us, particularly on our side of the aisle, would not have been able to vote. But ever since the early days of the Republic, Americans launched mighty movements, fought a bloody civil war, and, yes, passed Federal election laws to expand the franchise until there were no more boundaries.

Are we in a backslide here in the 21st century? Are we going to let reactionary State legislatures drag us back into the muck of voter suppression? Are we going to let the most dishonest President in history continue to poison our democracy from the inside or will we stand up to defend what generations of Americans have organized, marched for, and died for—the sacred, sacred right to vote, the thing that makes a democracy a democracy.

I plead with my Republican colleagues. Stand up, my Republican colleagues. Stand up to a man who has lied. We all know he has lied. You know he has lied about our elections. Do not let this man lead you around by the nose and do permanent damage to our democracy. At least have the decency and honor to let this Chamber debate. I urge my colleagues to vote yes.

I yield the floor.

#### CLOTURE MOTION

The VICE PRESIDENT. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 77, S. 2093, a bill to expand Americans' access to the bal-

lot box, reduce the influence of big money in politics, strengthen ethics rules for public servants, and implement other anti-corruption measures for the purpose of fortifying our democracy, and for other purposes.

Charles E. Schumer, Jeff Merkley, Amy Klobuchar, Jacky Rosen, Sheldon Whitehouse, Richard J. Durbin, Jon Ossoff, Tammy Baldwin, Debbie Stabenow, Brian Schatz, Sherrod Brown, Ron Wyden, Elizabeth Warren, Raphael Warnock, Benjamin L. Cardin, Edward J. Markey, Bernard Sanders.

The VICE PRESIDENT. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed on S. 2093, a bill to expand Americans' access to the ballot box, reduce the influence of big money in politics, strengthen ethics rules for public servants, and implement other anti-corruption measures for the purpose of fortifying our democracy, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 246 Leg.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. SCHUMER. Madam President.

The VICE PRESIDENT. Mr. Majority Leader.

Mr. SCHUMER. Madam President, I want to be clear about what just happened on the Senate floor. Every single Senate Republican just voted against starting debate—starting debate—on legislation to protect Americans' voting rights. Once again, the Senate Republican minority has launched a par-

tisan blockade of a pressing issue here in the U.S. Senate, an issue no less fundamental than the right to vote.

I have laid out the facts for weeks. Republican State legislatures across the country are engaged in the most sweeping voter suppression in 80 years, capitalizing on and catalyzed by Donald Trump's Big Lie. These State governments are making it harder for younger, poorer, urban, and non-White Americans to vote.

Earlier today, the Republican leader told reporters that "regardless of what may be happening in some States, there's no rationale for Federal intervention." The Republican leader flatly stated that no matter what the States do to undermine our democracy—voter suppression laws, phony audits, partisan takeovers of the local election boards—the Senate should not act.

My colleagues, if Senators 60 years ago held that the Federal Government should never intervene to protect voting rights, this body would have never passed the Voting Rights Act. The Republican leader uses the language and the logic of the southern Senators in the 1960s who defended States' rights, and it is an indefensible position for any Senator—any Senator—let alone the minority leader, to hold. Yet that was the reason given for why Republicans voted in lockstep today: Regardless of what may be happening in some States, there is no rationale for Federal intervention.

That is both ridiculous and awful. All we wanted to do here on the floor was to bring up the issue of voting rights and debate how to combat these vicious, oftentimes discriminatory voting restrictions, and today, every single Democratic Senator stood together in the fight to protect the right to vote in America. The Democratic Party in the Senate will always stand united to defend our democracy.

I spoke with President Biden earlier this afternoon as well. He has been unshakeable in his support of S. 1, and I want to thank the President and the Vice President for their efforts. But regrettably—regrettably—our efforts were met by the unanimous opposition of the Senate minority.

Once again, Senate Republicans have signed their names in the ledger of history alongside Donald Trump, the Big Lie, and voter suppression, to their enduring disgrace. This vote, I am ashamed to say, is further evidence that voter suppression has become part of the official platform of the Republican Party.

Now, Republican Senators may have prevented us from having a debate on voting rights today, but I want to be very clear about one thing: The fight to protect voting rights is not over, by no means. In the fight for voting rights, this vote was the starting gun, not the finish line. Let me say that again. In the fight for voting rights, this vote was the starting gun, not the finish line.

As many have noted, including my friend Senator WARNOCK this morning,

when John Lewis was about to cross that bridge in Selma, he didn't know that waited for him on the other side. He didn't know how long his march would be, and his ultimate success was never guaranteed, but he started down that bridge anyway. Today, Democrats started our march to defend the voting rights of all Americans. It could be a long march, but it is one we are going to make.

Today, we made progress. For the first time in this Congress, we got all 50 Democrats unified behind moving forward on a strong and comprehensive voting rights bill. And make no mistake about it, it will not be the last time that voting rights comes up for a debate in the Senate.

Republicans may want to avoid the topic, hoping that their party's efforts to suppress votes and defend the Big Lie will go unnoticed. Democrats will not allow that. Democrats will never let this voter suppression be swept under the rug.

We have several serious options for how to reconsider this issue and advance legislation to combat voter suppression. We are going to explore every last one of our options. We have to. Voting rights are too important, too fundamental. This concerns the very core of our democracy and what we are about as a nation, so we will not let it go. We will not let it die. This voter suppression cannot stand, and we are going to work tirelessly to see that it does not stand.

I yield the floor.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PETERS). Without objection, it is so ordered.

#### U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I am delighted to follow the majority leader and his strong remarks about the beginning of the process of passing S. 1, not only to deal with the question of voting rights but to deal with the question of the dark money plague that is infesting our democracy and taking the power over decision making in this body and in this building away from regular people and putting it into the hands of not only special interests but of special interests who are happy to operate in secret.

One of the ways in which this power has been deployed has been with respect to the judicial branch of government. And I am here now for my third speech in "The Scheme" series to draw attention to this problem.

In the first two "Scheme" speeches, I described the corporate power game plan offered by lawyer Lewis Powell to the U.S. Chamber of Commerce and the subsequent effectuation of that game plan by Justice Lewis Powell, ap-

pointed to the U.S. Supreme Court 2 months—2 months—after his secret corporate power game plan went to the chamber. The execution of the Powell plan was one of three converging threads that led to the scheme to capture the Court.

The Powell plan, thread one, was a political response recommended for America's traditional corporate elite, which had been traumatized by the social upheaval of the 1960s. The second thread, thread two, was a separate strain of American ire that had been simmering on our society's fringe for many decades. The extremists on this simmering fringe were traumatized by things long accepted as mainstream by most Americans.

The fringe resentments shifted with the varying tides of news and events but regularly boiled over against several targets. One was the role of Jewish people in finance, the press, Hollywood, and—after FDR—in government. Another was the improving economic and social condition of minorities. Another was the arrival of immigrants, particularly non-European immigrants; but backlash to immigration from Ireland and Italy had been profound, as my home State experienced back under the Know-Nothings. Other resentments sprang from imaginary events, conspiracy theory delusions, and crackpot ideas.

This persistent strain along the American fringe was chronicled in Pulitzer Prize-winning Richard Hofstadter's 1964 essay, "The Paranoid Style in American Politics," later a popular book. This latent strain of paranoid extremism showed itself in groups like the John Birch Society, which never gained social or political acceptance. It was fed and nurtured by a handful of rightwing foundations set up by a few colossally rich and politically irate and frustrated families. It boiled up in the Presidential campaign of Senator Barry Goldwater, which ended in one of the worst landslide defeats in American history. It drove the occasional aspirations of the Libertarian Party, whose extremist platform suffered predictable but humiliating crushings at the polls. All of this defeat, over all of these decades, concentrated the strain, isolated its most persistent and determined elements, and added to it an emotional payload of resentment.

One target of this fringe was the existence of government regulation. The Libertarian Party, in 1980, ran on a platform of ending Social Security, ending Medicare, closing the post office, undoing the American highway program, stopping public education, and eliminating all our public regulatory agencies—even the Federal Aviation Administration that keeps planes from bumping into each other.

This platform barely attracted 1 percent of the vote, an unsurprising but humiliating crushing. That humiliating crushing was suffered by David Koch, Libertarian Party can-

didate for Vice President, and the party's major funder. The Koch family is spectacularly, unimaginably rich. Privately held Koch Industries pours hundreds of millions of dollars into their pockets every year. The family annual income exceeds most families' dreams of lifetime wealth. The Kochs have social ambition, putting their names on educational TV programs, art centers, and university buildings. They are not the sort of people who take humiliation well. They are also not stupid, and the family has long and sometimes dark international experience, including odious efforts in previous decades to build factories for evil regimes.

Made confident by the arrogance of wealth, driven by extremist ideology, spurred by the resentment of humiliating political rejection, experienced in the devious ways of the international world, steeped in the corporate skills of long-term planning and patient execution, and with unlimited resources to indulge themselves, the Koch brothers, Charles and David, were uniquely positioned to take this longstanding, latent, extremist fringe and amplify it and direct it, by plan, in secret, and over decades if need be.

If front groups needed to be set up, so be it; subsidiaries were a familiar concept. If identities needed to be laundered off money they gave, so be it; telling lawyers to find or design a way to do that was familiar. If fringe groups needed to be coordinated to work collectively with each other, so be it; organizing with others through trade associations and lobbying groups was familiar activity. And if money needed to be spent, well, so be it; money was no object, and getting people to do things for you for money is a familiar practice of the very rich.

The nurture and guidance of the Kochs breathed new strength and life—and deregulatory purpose—into the nativist far-right fringe. Meanwhile, in the regulatory arena, waited the third of the three threads. Major corporate interests—from the railroads first to banks, chemical companies, and polluting industries—had assembled, over time, a quietly powerful presence to help them in administrative Agencies; to make sure that regulation was friendly to business, and, even more than that, under the right circumstances, with the right people and pressures, could be turned to advantage of the regulated industry.

In administrative hearings and rulemakings, regulated industries regularly outgunned public interest groups. Law firms dedicated to this lucrative corporate regulatory practice sprouted. Gleaming stables were kept of well-tended professional witnesses who could reliably spout the corporate line in Agency proceedings.

Companies played the long game in these regulatory Agencies, of accreting minor victories, step-by-step, inch-by-inch, but that together summed up to major gains. Many of these gains were deeply buried in the weeds of arcane

policy and technical detail, inscrutable to the general media and so invisible to the general public.

Revolving doors spun between regulatory Commissions and industry, so that Agency decision makers often reflected the values, priorities and interests of the regulated industry, not the general public. At the extreme, the regulatory Agency became servant to the industry master—a phenomenon well known and well documented as regulatory capture. I wrote a separate book on this, “Captured,” so I won’t dwell on it at great length here. It is enough to note that regulatory capture is so common that it has been a robust field of academic research and writing now for decades, both in economics and in administrative law.

So these three socioeconomic strands converged. America’s regular corporate elite took up the Powell memo strategy of emboldened political engagement, seeking to reclaim their power and restrain the unwelcome changes roiling American society. The extremists of great wealth brought to the rightwing fringe and its motley array of extremist groups an unprecedented strategic discipline, unlimited resources, and the tactics of hard-edged corporate organization. The regulatory capture apparatus was there for the hiring, eager to pursue the new prospects offered by big industries and eccentric billionaires. Out of this slumgullion of immense wealth, extreme political ambition, and expertise at regulatory capture, how long would it take for people to start thinking about capturing not just regulatory Agencies but courts—indeed the U.S. Supreme Court?

As it turned out, not long. The Court had made itself a target of the rightwing. *Brown v. Board of Education* provoked massive resistance across the South out to defend segregated public schools. *Roe v. Wade* provoked, as it still provokes, the religious right. So did *Engel v. Vitale*, restricting prayer in schools. *Griswold v. Connecticut* offended those upset by the sixties sexual revolution. *Miranda v. Arizona*, *Mapp v. Ohio*, and *Gideon v. Wainwright* offended the tough-on-crime crowd. To the far right, the Supreme Court offered a bounty of things to hate. Even without the Powell Memo’s corporate plan of “exploiting judicial action” “with an activist-minded Supreme Court,” the Court would likely have been an irresistible target.

But with that plan and that recommendation, it began to come together. And so the scheme was launched, fed by three political tributaries: one, the corporate plan in Lewis Powell’s memo to the Chamber; two, the resurgent Koch-powered, far-right fringe; and three, the eager, available mercenaries of regulatory capture.

The effort to capture the Court has likely been the most effectual deployment of rightwing and corporate resources into our common American political life, and America is now a very

different place as a result of it. Much of it, like the proverbial frog in the proverbial pot, we have even gotten used to, and we accept it now as normal, when it isn’t.

To be continued.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to celebrate a win for the country. Today, the United States rightfully failed to advance the “Corrupt Politicians Act,” meaning that this bill will not come to the Senate floor for a final vote. This is a huge win for the citizens of the United States. This is a huge win for democracy, and it is a huge win for the integrity of our elections.

The “Corrupt Politicians Act” is the most dangerous legislation we considered in the Senate in the 9 years I served in this body. It is an attempt by Senate Democrats at a brazen power grab. It is an attempt by Democrats to federalize elections and to ensure that Democrats won’t lose control for the next 100 years.

This bill isn’t about protecting the right to vote. It is precisely the opposite. It is about taking away the right to vote from the citizens and giving it instead to the corrupt politicians in Washington who want to stay in power.

The “Corrupt Politicians Act” would strike down virtually every commonsense voter integrity law adopted by States across the country. Thirty-six States have adopted voter ID laws, a reasonable and commonsense step to protect the integrity of elections that over 70 percent of Americans support and over 60 percent of African Americans support. In fact, recent polling now shows support for voter ID at over 80 percent, thanks, no doubt, to the relentless assault to voter ID mounted by Senate Democrats. The “Corrupt Politicians Act” would repeal the vast majority of these voter ID laws.

Likewise, 31 States prohibit ballot harvesting, the corrupt practice of paying political operatives to collect other people’s ballots. What would the “Corrupt Politicians Act” do? It would strike down all of those laws in 31 States and would mandate ballot harvesting nationwide. It would mean that paid political operatives from the Democratic National Committee could go to nursing homes and collect votes—some of those votes, no doubt, from individuals who may be no longer competent to make a decision. The reason 31 States have acted to ban ballot harvesting is it invites voter fraud. An unscrupulous operative can fill out the ballot for a senior citizen who no longer has the capacity to make a deci-

sion, and if that senior citizen has the temerity to vote in a way the operative doesn’t like, there is nothing to prevent the operative from throwing that ballot in the mail and simply not sending it in, only sending in the ballots that happen to comply with their own political preference. If you care even one whit about election integrity, striking down every prohibition on ballot harvesting is precisely the wrong step to take.

The “Corrupt Politicians Act” would also automatically register to vote anyone who comes in contact with the government. So if you get a welfare check, you get an unemployment check, you get a driver’s license, you go to a State college or State university, you are automatically registered to vote. What is the problem with that? The problem with that, as the authors of the bill know, is that would register millions of illegal aliens to vote. Millions of illegal aliens come into contact with the government, and automatic registration is designed to register millions of illegal aliens.

How do we know this? We know this, among other things, because the bill explicitly immunizes the State officials who would be registering illegal aliens to vote. It grants a safe harbor and says, when you illegally register illegal aliens, you will have no liability. If you care about the integrity of elections, registering millions of illegal aliens to dilute and steal the votes of legal American citizens is exactly the opposite way to go.

Not only that, many States have reasonable restrictions on felons and on criminals voting. What does the “Corrupt Politicians Act” do? It strikes all of those down and instead mandates that all felons should be allowed to vote—murderers, rapists, child molesters all allowed to vote because Democrats have made the cynical calculation that if millions of illegal aliens are allowed to vote and millions of criminals and felons are allowed to vote, that those individuals are likely to vote Democrat and Democrats want to stay in power.

The bill also prevents States from correcting voter rolls and from removing people who passed away. You can’t go in when someone’s dead and say, you know, dead people shouldn’t be voting. No, this bill mandates: Leave the dead people on the rolls—another step designed to invite fraud.

Moreover, the “Corrupt Politicians Act” is welfare for politicians. This bill is designed to give hundreds of millions of dollars every year to corrupt incumbent politicians to keep them in power. It matches, for contributions under \$200, 6 to 1 Federal funds so that the Members of this body would receive, collectively, over a billion dollars in Federal funds to stay in power. That is great if you are a corrupt politician who wants to prevent a challenger from ever defeating you. And if you want to prevent the voters from making a different choice, then you flood

them with Federal funds to make it so you can't beat corrupt incumbents, but that is not what you do if you want to protect the right to vote.

This bill is brazen. It is so brazen that the joke really is admitted in one provision of the bill. The Federal Election Commission was created in the wake of Watergate, designed to protect integrity in our elections. It was, from the beginning, designed to be bipartisan—three Republicans, three Democrats—because Congress recognized that a partisan Federal Election Commission would be deeply injurious to our democracy, that to have a Federal Election Commission with any integrity, it needed to be bipartisan, which means you needed a bipartisan majority to act in order to ensure that neither party weaponizes the Federal election laws.

What does the "Corrupt Politicians Act" do? It turns the Federal Election Commission into a partisan body, shifts it from three Republicans and three Democrats to three Democrats and two Republicans. It turns it into an arm of the Democratic Senate Committee, in effect. Nothing in this bill is as cynical as that provision. We are in a 50–50 Senate. We have close elections in this race.

The Presiding Officer is a sophisticated political player. I want you to ask for a second, in a close election, in the weeks before the election, if the Senate majority leader had the ability to launch investigations from the Federal Election Commission, to bring prosecutions from the Federal Election Commission to sue the political opponents of the majority, how much would that invite abuse?

I understand right now Democrats are in power of both Houses of Congress and the White House. Power can be intoxicating. But I do want to point out it wasn't that long ago that the Presiding Officer and I were both in this body—4 years ago—when there was a Republican President and a Republican House and a Republican Senate. You didn't see the Republican majority try anything as brazen as the "Corrupt Politicians Act." You didn't see a Republican majority trying to rig the game, trying to change the rules so that Republicans could never be defeated in the next election. You didn't see the Republican majority trying to turn the Federal Election Commission into a partisan weapon.

I ask you, what level of comfort would you have as an elected Democrat if MITCH MCCONNELL had control of the Federal Election Commission, if it were Republican partisan agents? I think you would be entirely justified in being concerned that it would be used as a political weapon to hurt you. Your last election was a relatively close election. Imagine 2 weeks before the election if a Republican Federal Election Commission had mounted a sweeping investigation in the massive campaign finance violations by the incumbent Senator who happened to be of the

party that was out of power. You would rightly feel that it was grotesquely unfair; yet that is what every Senate Democrat just voted to create.

You know, the most pernicious aspect of this bill has been the racial demagoguery that it has invited. We have heard the Senate majority leader invoke, in booming terms, specters from our sorry history of racial discrimination in the past. The Senate majority leader has used the phrase "Jim Crow 2.0" repeatedly—as has the President of the United States, as has the Vice President of the United States—deliberately inflaming racial tensions, suggesting that laws, commonsense voter integrity laws in States like Georgia and Texas, things like requiring voter ID or requiring signature verification on absentee ballots, are somehow a modern manifestation of Jim Crow. That is a grotesque lie.

The majority leader knows that. The President of the United States knows that. The Vice President of the United States knows—they know they are lying. But, ironically, they inadvertently said something that is accurate about this piece of legislation. Jim Crow legislation was grotesque and ugly. It was legislation that was drafted, without exception, by Democratic politicians. Jim Crow was written by Democratic politicians, and its purpose, when the Jim Crow laws were written, were to prevent the voters from ever voting out of office Democratic politicians. It is one of the ugliest chapters of our Nation's history. And thankfully, we repudiated Jim Crow.

Well, the majority leader used the phrase "Jim Crow 2.0," and inadvertently, he is right, but not about what he is describing. He is right about the "Corrupt Politicians Act." The "Corrupt Politicians Act" follows the exact same pattern that Jim Crow did. It is partisan legislation, written by elected Democrats, designed to keep elected Democrats in office and to steal the right to vote from the citizenry to decide on somebody else. Democracy is too important for that.

And the kind of cynical racial demagoguery that we have seen around this bill, while ignoring the substance of it—and I will point out the media has been eager to ignore the substance of it. The media says: Should we protect the right to vote? Yes, we should protect the right to vote.

This bill takes away your right to vote. This bill is designed to prevent the voters from choosing to throw the bums out—the most fundamental right of any voter to throw the bums out, whether they are one side or the other side. We the people have sovereignty, and this bill, the "Corrupt Politicians Act" was designed to take that power from the people and give it to the politicians in Washington.

So today was a victory. It was a victory for the American people. It was a victory for democracy. It was a victory for the Constitution. And it was a victory for the rule of law.

I yield the floor.

THE PRESIDING OFFICER (Ms. HASSAN). The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1520

Mrs. GILLIBRAND. Madam President, I rise today for the 13th time to call for every Senator to have the opportunity to vote on a commonsense, bipartisan bill, the Military Justice Improvement and Increasing Prevention Act.

This bill would ensure that members of our military would get the justice and the justice system that their sacrifices deserve. We do not have time to delay. I began calling for a floor vote on this bill on May 24. That is 29 days ago. Since then, it is estimated that 1,624 servicemembers will have been raped or sexually assaulted. More will have been victims of other serious crimes.

Many of them will feel that there is no point in even reporting the crime because they have no faith in the current military justice system. That is because right now, if a servicemember reports a crime, the case and their fate will be put into a commander's hands.

This bill argues, instead, that our servicemembers who are victims of serious crimes or who are accused of serious crimes should have those cases reviewed by an impartial, trained, military prosecutor. It does not say that commanders are removed from their responsibility with regard to the military justice system. It doesn't say that commanders are relieved of their responsibility of ensuring good order and discipline. Under this bill, commanders will still have the full array of tools to implement good order and discipline—counseling, restriction, confinement, protective orders, rank reduction, non-judicial punishment, summary court-martial, and even special court-martial. None of these change under the law.

In addition, under today's system, only 3 percent of commanders have the right to do convening authority for general court-martial. So the truth is, it is a small number of commanders who will be even affected by this legislation. But I can promise you, the view from the servicemembers will be significant because they will now see that if they are someone who has been assaulted or harassed or had any justice need, that the person reviewing the case would be highly trained and unbiased. And if you are a Black or Brown servicemember who is disproportionately punished under the current system, you would know that the decision maker was impartial, unbiased, and highly trained. This change is something that will help both victims of sexual assault and also defendants' rights.

For serious crimes, we need both pieces of this puzzle, and this bill provides both. It will still allow commanders to take the administrative steps to send a message to their troops about what is or is not tolerated, and 97 percent of them have to do that

every day without having convening authority for general court-martial. It will allow for victims and their families to get real justice.

The Military Justice Improvement and Increasing Prevention Act will deliver the results that our servicemembers and their families deserve without compromising command authority. That is what our allies have said. The UK, Germany, Israel, Australia, the Netherlands, and Canada have all testified to our body in various hearings and various committees that they saw no diminution in command control and no diminution in the ability to prepare and train troops.

The truth is that this is a reform whose time has come, and every minute we delay, we are not standing by our servicemembers. It is a change that has been supported by veterans groups across the country. Whether it is the Iraq and Afghanistan association of veterans, whether it is the Vietnam veterans association, whether it is the Foreign Legion or the Veterans of Foreign Wars, military veterans support this bill.

This is a change whose time has come, and I request that we have a floor vote to decide this.

Sixty-six Senators on a bipartisan basis support this. The committee has been addressing this issue for 8 years. We have already passed 250 smaller reforms, none of which has had a dent on the problem. It is time to do the reform that survivors have asked for and that veterans organizations support.

I ask unanimous consent that at a time to be determined by the majority leader in consultation with the Republican leader, the Senate Armed Services Committee be discharged from further consideration of S. 1520 and the Senate proceed to its consideration; that there be 2 hours for debate equally divided in the usual form; and that upon the use or yielding back of that time, the Senate vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Madam President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I would like to thank my colleague from New York for her work to move this issue forward. But once again, I would object to the request for the reasons I have previously stated.

In addition, today the ranking member of the committee, Senator INHOFE, released the written views of each member of the Joint Chiefs of Staff, which he had requested on Senator GILLIBRAND's proposed legislation.

I understand that some in our body might discount these views of senior military leadership, and that is their prerogative. But I do believe it is important that their voices be part of the public discourse. They have dedicated their lives to the service of this Nation. They have led troops in combat. They have experienced all of the issues that

face commanders and face subordinates. They have a unique, I think, position within the system. In addition, the military will have to implement whatever system Congress devises, and it will require their expertise and skill.

Madam President, I ask unanimous consent to have printed in the RECORD a letter from the Chairman of the Joint Chiefs of Staff to Senator INHOFE.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAIRMAN OF THE JOINT CHIEFS  
OF STAFF,  
Washington, DC.

Hon. JAMES M. INHOFE,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR INHOFE: Thank you for your continued support and sincere interest in assessing the impact of proposed legislation on the Armed Forces. As I understand the scope of the "Military Justice Improvement and Increasing Prevention Act of 2021," the draft bill would remove the commander from decisions for all non-military offenses and felony cases punishable by one year or more, including the following: prohibited activities with military recruits or trainees by a person in position of special trust; wrongful broadcast or distribution of intimate visual images; murder; manslaughter; death or injury of an unborn child; child endangerment; rape and sexual assault; mails; deposit of obscene matter; rape and sexual assault of a child; other sexual misconduct; larceny and wrongful appropriation; fraudulent use or credit cards, debit cards, and other access devices; false pretenses to obtain services; robbery; frauds against the United States; bribery; graft; kidnapping; arson, burning properly with intent to defraud; extortion; aggravated assault; assault with intent to commit murder, voluntary manslaughter, rape, sexual assault, rape of a child, sexual assault of a child, robbery, arson, burglary, or kidnapping; maiming; domestic violence; stalking; perjury; subordination of perjury; obstructing justice; misprision or serious offense; wrongful refusal to testify; prevention or authorized seizure of property; noncompliance with procedural rules; wrongful interference with adverse administrative proceeding; and retaliation.

The Uniform Code of Military Justice exists to provide justice and to maintain good order and discipline, both of which directly contribute to unit cohesion and U.S. military effectiveness in combat. The military is unique in that commanders must maintain good order and discipline in order to successfully perform on the battlefield under the most intense of circumstances. Commanders' orders must have the force or law, and all within his or her unit must acknowledge this authority. With this responsibility to enforce the rule of law comes accountability.

It is my professional opinion that removing commanders from prosecution decisions, process, and accountability may have an adverse effect on readiness, mission accomplishment, good order and discipline, justice, unit cohesion, trust, and loyalty between commanders and those they lead. However, in the specific and limited circumstance of sexual assault, I remain open-minded to all solutions. This is a complex and difficult issue. I urge caution to ensure any changes to commander authority to enforce discipline be rigorously analyzed, evidence-based, and narrow in scope, limited only to sexual assault and related offenses.

As I am sure you are aware, the Secretary of Defense established the Independent Review Commission on Sexual Assault in the

Military on February 26, 2021, chartered to address the multiple aspects and factors of this issue. It is my belief we have not made sufficient progress in recent years to eliminate sexual assault, and we have consequently lost the trust and confidence of many Soldiers, Sailors, Airmen, Marines, and Guardians in the chain of command's ability to adjudicate these serious crimes. I intend to reserve judgement until I have an opportunity to review the final recommendations of the Independent Review Commission to determine the merits of any such recommendations vis-a-vis proposed legislation currently in the Senate and House of Representatives.

I remain committed to providing you my candid personal views and will do so after I have reviewed the recommendations of the Commission. I look forward to providing you my personal assessment on this matter in the near future.

Sincerely,

MARK A. MILLEY,  
General, U.S. Army.

Mr. REED. Madam President, I won't quote from this letter at length now, but I would just point out that the Chiefs are open-minded about changing the way we prosecute sexual assault and harassment within the ranks. So am I. In fact, I think that is something that I hope becomes clear in our progress legislatively moving forward. But they nevertheless stress the importance of ensuring that any change Congress enacts must be carefully tailored to address the problems we are trying to solve, and the critical problem we are trying to solve is sexual assault, sexual harassment, any kind of crime dealing with sexual misconduct.

In addition, adequate time and resources must be afforded for implementing any of the changes that we propose. The nature and the magnitude of change we are contemplating here is complex; we have to make sure we do this right.

Further, we have heard over the past few years from the leadership of the military service Judge Advocate Generals' Corps, who have uniformly opposed these changes in nature and scope. These are the military lawyers, the very military justice experts to whom this bill would invest authority currently reserved to commanders. I believe we should listen to them as well and move prudently and deliberately to address the problem at hand.

So, as I have said a number of times already, I intend to include the administration's recommendations that derive from the President's Independent Review Commission in the markup of the Defense bill, subject to amendment, not to move the bill on the floor without the chance for my colleagues in the committee to have their voices heard. These ladies and gentlemen have dedicated themselves to military policy for many years. They are experts in different dimensions of this issue, and they will add significantly to the debate.

To simply take a bill and send to it the floor without amendments I think is not the way to proceed. I anticipate a bill that will be strengthened through debate and discussion and deliberation by the committee.

With that, I would reiterate my objection to Senator GILLIBRAND's request.

The PRESIDING OFFICER. The objection is heard.

The Senator from New York.

Mrs. GILLIBRAND. Madam President, I disagree with the chairman because the service chiefs and commanders for the last 8 years have objected to any serious reform. In fact, they have said time and again "Trust us. Trust us. We will get this right" and have objected to any major reform.

In fact, that is what they did anytime we tried to reform the military—they objected on the same basis, using the same words, when we tried to repeal don't ask, don't tell. They objected in the same way when we tried to allow women to get credit for being in combat. They objected in the same way when we integrated the military.

So to hear these objections over and over again after the committee has studied this issue for 8 years and allowed 250 reforms to be put into the NDAA—all of which were OK by the DOD—just flies in the face of reality.

The military has demanded sole responsibility of these cases for the 8 years that I have worked on this issue, and have they denied the problem? No. Sexual assaults were estimated at 20,000 by the military last they counted. Has the rate of cases going to trial increased? No. Has the rate of cases that have ended in conviction increased? No. So under no measurable has the DOD got a handle on this.

For the chairman to say it has to go through the committee, this issue has been going through the committee for 8 years. In fact, when I passed bipartisan reform with people like Senator JONI ERNST on the safe to report language, it was taken out in conference by the same DOD staff who didn't want it in there in the first place.

So under the chairman's view, this bill could certainly go through committee. We have more than half of the members. But I promise you, it will be watered down or taken out in conference because the chairman and the ranking member are against it, and they have the authority to do so. So he is not offering a fair process.

The fact that this bill has 66 cosponsors—how many bills in America, in this body, have the support of TED CRUZ and LIZ WARREN, of MITCH MCCONNELL and Senator SCHUMER? None. This is the kind of bipartisan bill that this country is yearning for, the kind of commonsense reform that can protect servicemembers.

While the chairman is so interested in supporting what the generals and the admirals and the top commanders want, why does he not listen to the servicemembers themselves, to the people who have suffered sexual assault, to the people who have suffered racial bias in prosecution? Those are the people he should be listening to, not the top brass.

We have deferred to them the entire 10 years I have been on this committee,

and in the entire 10 years, our committee has failed. It is time to bring this bill to the floor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FOR THE PEOPLE ACT OF 2021

Mr. VAN HOLLEN. Madam President, just a short time ago on this Senate floor, we witnessed a low point for this body. We witnessed every Republican Senator voting against moving forward to consider legislation to strengthen our democracy. We witnessed all 50 Republican Senators voting to block consideration of the For the People Act.

I don't know why people are afraid of debating this issue, which is so fundamental to our country at this particular point in time. This bill, the For the People Act, has many important provisions. One of them, of course, is to establish minimum national standards, to make sure that every eligible American voter can access the ballot box. That should be something we all want. We should want every American eligible to vote to be out there exercising his or her right to vote, to participate in the decision making in our democracy. And yet not a single Republican Senator voted to proceed with that debate, even though this bill is more important now than ever before because we see, as we speak, Republican State legislatures, in so many places around our country, voting to erect barriers to the ballot box.

We see this in State after State, a pure partisan power play to rig the rules, to win elections by subtraction—not to win elections through the hurly-burly debate over the issues of the day, not to win elections by talking about the agenda that somebody is advocating and why someone should vote for a particular candidate. That is the way it is supposed to be. But these are legislatures that are putting up barriers to make it harder for people to access the ballot and specifically designing these barriers to try to limit participation by people of color and by younger voters.

We saw that even before the aftermath of this election. We saw it in the aftermath of the Supreme Court decision in *Shelby v. Holder*. We saw Texas and North Carolina and other States adopting these kind of restrictive voting laws. You don't have to take my word for it; the U.S. courts took a look at the North Carolina law that was passed a number of years ago and said that they targeted African-American voters with "surgical precision" to try to keep them from accessing the voting booth, and that is exactly the kind of thing that is going on now in State

after State around the country: trying to win, not by the addition and multiplication of democracy, but by subtraction and by division.

And so why are these States doing this at this moment? They are doing it because of the Big Lie that was perpetrated in the aftermath of our Presidential election, a lie that the former President persists in spewing and repeating to this very moment, the lie that he was somehow cheated or robbed out of an election that led to the attack on this Capitol on January 6.

It is that lie that is giving rise to these actions in State legislatures. It is that lie that sadly led this body just a short while ago to block consideration of a bill to establish a commission to look at what happened on January 6. That bill, too, was filibustered just like this one, in order to prevent the American people from getting to the bottom of the Big Lie. Republican Senators blocked that, too. They don't want the country to know, and they are perfectly happy to allow all these State legislatures to put up barriers to voting as part of that Big Lie narrative.

And we know it is a big lie for so many reasons. Of course, President Trump and his campaign took their claims to courts throughout the country. Over 60 courts said those were ridiculous claims. President Trump's own Justice Department and his Attorney General, former Attorney General Barr, before he stepped down, said there was no wrongdoing in this election that would change any kind of outcome.

The President's point person at the Department of Homeland Security, responsible for monitoring the integrity of elections, has testified before Congress and said very clearly that the 2020 Presidential election was the most secure election in American history—most secure in American history. That is from the person in charge of election integrity in President Trump's own administration.

So why are all these States enacting these barriers to voting after an election that the Trump Homeland Security Department said was the most secure in history? It is because so many people turned out and voted in that secure election and they didn't like the outcome.

So when you don't like the outcome in elections, instead of taking your case to the American people and saying, Vote for us next time because here is our agenda for the country, here is what we are going to do—instead, they decided they are going to try to win by putting up barriers to try to prevent those large turnouts, especially from people of color, and we saw younger voters come out in 2020.

So the decision to block this bill from debate is just a continuation of protecting the Big Lie. It is a continuation of protecting the Big Lie that is being fueled around the country by Donald Trump's continuous fraudulent claims, which unfortunately have seized the Republican Party.



We saw what happened in the House of Representatives. LIZ CHENEY, a stalwart conservative, ousted from her leadership position because she didn't pay homage to the former President. That is what is going on here. That is what is going on in the House, and that is what is reflected in this vote today, the refusal to even debate a bill to strengthen our democracy. Come to the floor, tell us what you don't like, tell us what you want to do. Do you really believe that what these State legislatures are doing is a good thing for our democracy?

I know it is easier not to have to talk about that, easier to ignore that, but we are not going to let this issue go away. We are going to be here week after week to make sure that we continue to push this For the People Act.

Now, in addition to the provisions to establish minimal protections so every eligible voter can access the voting booth, the For the People Act also has a number of very important provisions that are overwhelmingly popular with the American people. One of them is the incorporation of what is known as the DISCLOSE Act.

The DISCLOSE Act does a very simple thing: It gets rid of secret corporate money being plowed into our elections through these secret super PACs. You know what happened after the decision in *Citizens United* were two things. One, corporate money could flow in unlimited amounts into elections, but the Supreme Court at the time said: You can at least be aware of who is spending this money if you pass laws to make sure it is transparent.

In fact, a lot of the Justices who voted to overturn the *Citizens United*—excuse me, voted to allow corporate money in politics, who were the majority in *Citizens United*, have also said in that same opinion that they essentially expected Congress to enact laws to ensure transparency.

In fact, eight of the nine Supreme Court Justices in that case took that position. Yet the Republican leader, who in the early 2000s called for more transparency when it came to money being spent in elections, is taking the opposite idea: We don't want the public to know who is spending all that money. We want it to be secret.

I think most of us would agree and I know the American public agrees that they have a right to know who is spending millions and millions of dollars to try to influence their votes. We know that because survey after survey shows that Republicans, Democrats, and Independents all agree that they should know who is spending all of this dark money.

When you see a TV commercial that says, "Paid for by the Committee for America," you should know who is financing that ad to try to influence your vote. It is a very simple principle. Voters have a right to know. It was a principle agreed to by conservative jurists like Justice Scalia. And yet the position of the Republican Senators

today was: We don't even want to talk about that. We don't even want to debate that provision.

By the way, that provision, the DISCLOSE Act, passed the House back in 2010, and it came here to the U.S. Senate, and the Senate version of the DISCLOSE Act was debated on this Senate floor, and 59 Senators at that time voted to proceed with the bill.

You might say: 59 Senators, that is the majority; why didn't it pass? Because of the filibuster rule. They needed 60. And 59 Senators said: We want disclosure. And 59 Senators said: Get rid of secret money. But because of the filibuster rule, it didn't pass. It couldn't get to final passage on a simple majority.

If that had passed back in 2010, we wouldn't have our airwaves flooded with secret money today. We would have done what the American people wanted. The DISCLOSE Act is in this bill now, and once again, 11 years later, Republican Senators are filibustering the bill for the DISCLOSE Act.

They don't want the American people to know who is spending all of that money, mostly corporate money, flowing underground under the radar screen through our political system to try to elect candidates of the choice of whatever special interests are spending that money. They don't want you to know who they are, who is spending all that money to elect people. So why don't we all agree we are going to get rid of secret money? Apparently, we don't even want to debate that.

Another provision that is universally popular with the American people is the idea that we should have nationwide nonpartisan congressional districting. Let's draw congressional districts not based on politics but based on some nonpartisan criteria.

I think we all heard the line that it should not be the case that politicians are picking the voters. Voters should pick their elected officials. These days, people can draw congressional district maps with incredible precision with the use of computers. You can literally try and draw a congressional district designed to get exactly the electorate they want.

I don't think that is the way the Founders expected it to end up working, to get a computer that could draw these districts with that kind of precision and accuracy. And so one of the other important provisions in the For the People Act is, Let's draw congressional districts so that, we, the people, can make these decisions without the lines having been drawn to predetermine the outcome. That is also in this bill.

It also has some other important provisions that I support to try to reduce the impact and influence of big money contributors to allow people with lesser means to be able to contribute to elections and have some element of public financing so that the system is more geared toward the public interest than relying exclusively on the private

big contributions. That is another provision that is in the For the People Act.

Some people may disagree with that. Come to the floor, debate it, offer an amendment to get rid of it, let's vote. But what we saw today was a refusal to engage in the democratic process of debate in consideration of a bill. They used this provision, the filibuster provision, to block a bill to help protect and strengthen our democracy, and that is a sad and shameful day in the U.S. Senate.

But I am going to end with this. This issue is not going away. I was glad to see that even as every Republican Senator voted no, every Democratic Senator united together to say, We stand for the idea that we should have some minimal national standards for access to the ballot booth to protect our democracy and that we should get rid of secret money in politics.

Every Democrat said, Let's proceed to debate a bill that has those important provisions in it. And so we are not going away. This is a vote that may be a temporary setback, but it is my strong view that, at the end of the day, democracy will prevail in the sense that it will be strengthened and that the American people are not going to stand for a process that reinforces the Big Lie that was perpetrated on this country.

And so the good news—the good news, as I said, is every Democratic Senator said yes to moving forward, and we will find a way to get this done. We will find a way to protect our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### RECOGNIZING JULY 1, 2021, AS THE 100TH ANNIVERSARY OF THE GOVERNMENT ACCOUNTABILITY OFFICE

Mr. VAN HOLLEN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 282, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 282) recognizing July 1, 2021, as the 100th anniversary of the Government Accountability Office and commending the service of the Government Accountability Office to Congress and the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. VAN HOLLEN. Madam President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.